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Blue laws of Connecticut; taken from the



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# THE BLUE LAWS OF CON- NECTI- CUT.

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## BLUE LAWS OF CONNECTICUT.

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The Blue Laws of Connecticut is a title given the legislation of that Commonwealth by the Rev. Samuel Peters, who parodied its laws in a volume published many years ago, and so cleverly was the parody worded that even now but few know whether the laws he quoted were or were not actual legislation by the lawmakers of Connecticut. They were not, but, while they were not, the bona fide laws were every whit as blue as those he alleged to have been in existence. One of the laws best known as a Connecticut Blue Law is a prohibition of mothers from kissing their children of Sunday, or on that day erroneously called by the Puritans the Sabbath. While there never was such a statute in Connecticut, there were laws similarly tyrannical, for it is on record that men were fined for kissing their wives publicly on that day. Alice Morse Earle, in her interesting volume, "The Sabbath in Puritan New England," writes of the Blue Laws:

See !!

"Though these laws were worded by Dr. Peters, and though we are disgusted to hear them so often quoted as historical facts, still we must acknowledge that though in detail not correct they are in spirit true records of the old Puritan laws which were enacted to enforce the strict and decorous observance of the Sabbath, and which were valid not only in Connecticut and Massachusetts,

but in other New England states. Even a careless glance at the historical record of any old town or church will give plenty of details to prove this."

The laws we here quote justify this assertion, and the records of the courts prove it beyond question. These courts had wide latitude in punishing offenses against religion and Puritan morality, and written statutes were not necessary in order to fine, whip, and imprison those who deviated from the Puritan standard of conduct. The actual statutes of Connecticut were as blue as anything the Rev. Samuel Peters could imagine, and it is only that the people were unacquainted with these laws that they were aroused when Mr. Peters parodied them. There was then awakened in the minds of his readers undisguised contempt for the people who could enact them, and much indignation and condemnation has been wasted upon a set of laws which never existed, while most tyrannical statutes which were real have gone unnoticed and their sponsors uncondemned.

When the Rev. Mr. Peters wrote his volume he was in England, and he probably wrote from memory, with no copy of the Connecticut Code by him. As a New England clergyman he knew what the practice was as to Sabbath observance, and the practice reflected the laws, or the laws the practice, as one pleases. And the practice was "blue" indeed, as were the punishments for Sabbath breaking. Three of the most famous of the pretended statutes which Mr. Peters quoted were these:

"No one shall travel, cook victuals, make beds,

sweep house, cut hair, or shave on the Sabbath Day."

"No woman shall kiss her child on the Sabbath or fasting day."

"No one shall ride on the Sabbath day, or walk in his garden or elsewhere except reverently to and from meeting."

Yet these rules had all the effect of legal enactments. As to the first, the Puritans from sunset on Saturday until Sunday night, would not shave, have rooms swept, nor beds made, nor food prepared, nor cooking utensils and table-ware washed. Men in large numbers were fined for walking and riding unnecessarily on Sunday, and for riding "violently to and from meeting." That is why Mr. Peters put the word "reverently" in his alleged statute. As late as 1831, a lady journeying to her father's house in Lebanon, Conn., was fined for unnecessary traveling on the Sabbath. And Captain Kemble of Boston, in 1656, was kept for two hours in the public stocks for his lewd and unseemly behavior in "publiquely" kissing his wife on Sunday. His wife met him upon the doorstep when he returned from a three years' voyage, and they scandalized the neighbors with the warmth of their greeting. In 1670 two lovers of New London, Conn., were accused and tried for "sitting together on the Lord's day under an apple tree in Goodman Chapman's orchard."

The tithing-man could arrest any who walked or rode too fast a pace to and from meeting, and he could arrest any who "walked or rode unnecessarily on the sabbath." Great and small alike were under his control, as this notice from

the "Columbian Centinel" of December, 1789, abundantly proves. It is entitled "The President and the Tithing-man:"

"The President [George Washington], on his return to New York from his late tour through Connecticut, having missed his way on Saturday, was obliged to ride a few miles on Sunday morning in order to gain the town at which he had proposed to have attended divine service. Before he arrived, however, he was met by a tithing-man, who, commanding him to stop, demanded the occasion of his riding; and it was not until the President had informed him of every circumstance and promised to go no further than the town intended that the tithing-man would permit him to proceed on his journey."

The following is a list of the Sabbath Day offenses taken cognizance of by the authorities, and the punishment meted out. It is compiled from "The Sabbath in Puritan New England," taken from church and court records. It was not necessary for the state legislature to make laws of the "blue" variety for these minor offenses. The town governments, which were one with church governments, looked after the people with care. In those days each person knew his neighbor's business thoroughly. The ministers ruled with severity, the "tythingmen" and constables were their willing servants, and the courts punished Sabbath breaking and offenses against religion as a parent would deal with erring children for breaches of conduct. It was a very paternal government, as a stern parent wielding the rod, with no intention of spoiling the child by sparing it.

In New London, in the latter part of the seventeenth century, a man was fined for catching eels on Sunday; another was "fined twenty shillings for sailing a boat on the Lord's Day."

In Plymouth a man was "sharply whipped" for shooting fowl on Sunday; another was fined for carrying a grist of corn home on the Lord's Day, and the miller who allowed him to take it was also fined. Elizabeth Eddy of the same town was fined, in 1652, "ten shillings for wringing and hanging out clothes." A Plymouth man, for attending to his tar-pits on the Sabbath, was set in the stocks. James Watt, in 1658, was publicly reproved "for writing a note about common business on the Lord's Day, at least in the evening somewhat too soon." A Plymouth man who drove a yoke of oxen was "presented" before the court, as was also another offender who drove some cows a short distance "without need" on the Sabbath. In Newbury, in 1646, Aquila Chase and his wife were fined for gathering peas from their own garden on the Sabbath. In Wareham, in 1772, William Estes acknowledged himself "guilty of racking hay on the Lord's Day" and was fined ten shillings; and in 1774 another Wareham citizen, for a breach of the Sabbath in "puling apples," was fined five shillings. A Dunstable soldier, for "wetting a piece of an old hat to put in his shoe" to protect his foot, was fined and paid forty shillings.

A Maine man who was rebuked and fined for "unseemly walking" on the Lord's Day protested that he ran to save a man from drowning. The court made him pay his fine. In 1720 Samuel

Sabin complained of himself before a justice in Norwich that he visited on Sabbath night some relative at a neighbor's house. In 1659 Sam Clarke, for "hankering about on men's gates on Sabbath evening to draw company out to him," was reprov'd and warn'd not to "harden his neck" and be "wholly destroyed."

As late as 1774 the "First Church" of Roxbury (Mass.) fined its members for non-attendance. In 1651 Thomas Scott was "fyned" ten shillings unless he "have learned Mr. Norton's Chatachise by the next Court." In 1760 the legislature of Massachusetts passed the law that "any person able of Body who shall absent themselves from publick worship of God on the Lord's Day shall pay ten shillings fine." By the Connecticut code the fine was the same, and the law was not suspended till 1770. By the New Haven code five shillings was the fine for non-attendance at church, and the offender was often punished otherwise as well. Sometimes, however, the court increased the fine, as Captain Dennison, one of New Haven's most popular and respected citizens, paid fifteen shillings for absence from church. William Blagden, who lived in New Haven in 1647, was "brought up" for absence from meeting. He pleaded that he had fallen into the water late on Saturday, could light no fire on Sunday to dry his clothes, and so had lain in bed to keep warm while his only suit was drying. He was convicted of "sloathfulness" for this, and sentenced to be "publicquely whipped."

The treatment of the Quakers under the Blue Laws is thus described by the author of "The

Sabbath in Puritan New England": "Of course, the Quakers contributed liberally to the support of the court, and were fined in great numbers for refusing to attend the church which they hated, and which also warmly abhorred them; and they were zealously set in the stocks, and whipped and caged and pilloried as well—whipped if they came and expressed any dissatisfaction, and whipped if they stayed away."

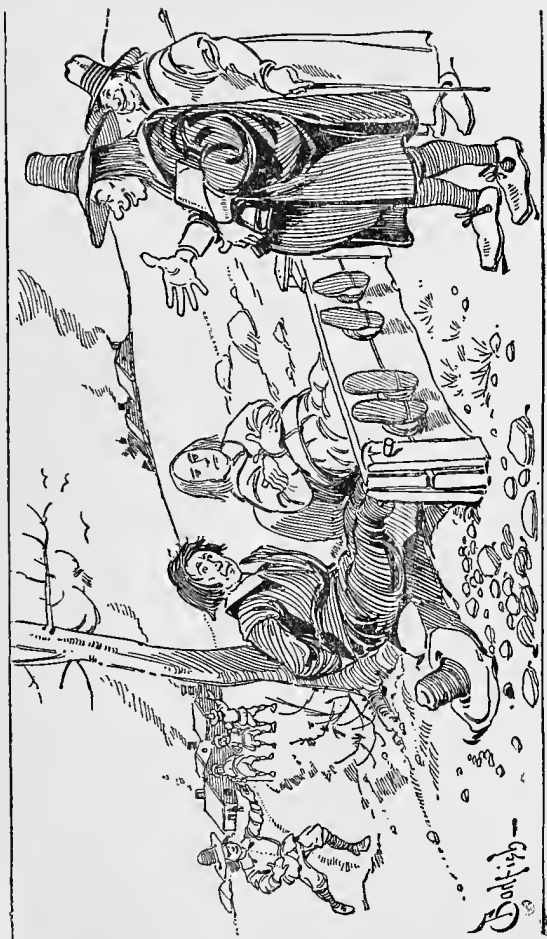
The Puritans included Saturday evening in their holy day, finding scriptural support for their conduct in the words, "The evening and the morning were the first day." In the first Colonial years Governor Endicott received these instructions from the New England Plantation Company: "And to the end that the Sabeth may be celebrated in a religious manner wee appoint that all may surcease their labor every Satterday throughout the yeare at three of the clock in the afternoone, and that they spend the rest of the day in chatechizing and preparaceon for the Sabeth as the ministers shall direct." Archibald Henderson, the master of a vessel which entered the port of Boston, complained to the Council for Foreign Plantations when he returned to London, that while he was in Boston, being ignorant of the laws, and having walked half an hour after sunset on Saturday night, as punishment for this unintentional offense, a constable entered his lodgings, seized him by the hair of his head, and dragged him to prison.

Some of the regulations which Mr. Peters put into the form of a "blue law" were those against the use of the "Creature called Tobacko." In the

very earliest days of the colony means had been taken to prevent the planting of the pernicious weed except in very small quantities "for meere necessitie, for phisick, for preseruaceon of health, and that the same be taken privatly by auncient men." In Connecticut a man could by permission of the law smoke once if he went on a journey of ten miles, but never more than once a day, and never in another man's house. The use of tobacco was absolutely forbidden under any circumstances on the Sabbath within two miles of the meeting-house. Violators of this rule were fined ten shillings, and in Portsmouth were set as jailbirds in the cage.

Criticising or disparaging ministers also constituted an offense punishable under the "blue laws." In Sandwich a man was publicly whipped for speaking deridingly of God's words and ordinances as taught by the minister of the town. Mistress Oliver was forced to stand in public with a cleft stick on her tongue for "reproaching the elders." A New Haven man was severely whipped for declaring that he had received no benefit from the minister's sermon. In 1744 William Howes and his son were fined fifty shillings "apeece for deriding such as sing in the cougregation, teaming them fooles." In 1631 Philip Ratcliffe, for "speaking against the churches," had his ears cut off, was whipped and banished.

Of course, blasphemy was punished, and it did not require that the objectionable expressions should be directed against the deity to insure rapid punishment for the blasphemer. One man in Hartford, for his "fillthy and prophane expres-



English—

“They were zealously set in the stocks and whipped and caged and pilloried as well.”



sions," namely, "that hee hoped to meet some of the members of the Church in Hell before long, and he did not question but hee should," was "committed to prison, there to be kept in safe custody till the sermon, and then to stand the time thereof in the pillory, and after sermon to be severely whipped." Two women of Wells were punished in 1669 "for using profane speeches in their common talk; as in making answer to several questions their answer is, The Devil a bit." In 1640, in Springfield, Goody Gregory, being provoked, abused her annoyer, and said, "Before God I coule breake thy heade!" She was fined and set in the stocks.

For some offenses, such as "speaking deridingly of the minister's powers," as was done in Plymouth; "casting uncharitable reflections on the minister," as did an Andover man, and also for absenting one's self from church services; for "sloathfulness," for "walking profanely," for spoiling hides when tauning and refusing explanation thereof; for being "given too much to Jearings," for "Slanndering," for being a "Makebayte," for "ronging naibors," for "being too Proude," for "suspitions of stealing pinnes," for "pnishouse Squerilouse Odyouse wordes," and for "lyeing," church members were not only fined and punished, but were deprived of partaking of the sacrament, thus showing how completely the church dominated the government.

We give in this tract the laws and court records which form the basis of the so-called, and were the real, Blue Laws. That they were not misnamed, the enlightened reader will readily acknowledge.

The following laws are from the code of 1650, and the public records of the Colony of Connecticut previous to 1665, as printed in a "Compilation of the Earliest Laws and Orders of the General Court of Connecticut," copyrighted by Silas Andrus in 1852, and from Dr. Lewis's book on Sunday legislation; also an Extract from the Constitution, or Civil Compact, entered into and adopted by the towns of Windsor, Hartford, and Wethersfield in 1638-9, showing the Biblical basis of the Colony legislation. In the "advertisement" of Mr. Andrus's little book he says: "The following sheets contain an exact copy of the constitution, or form of civil government, as adopted by the towns of Windsor, Hartford, and Wethersfield, and the code of 1650, as confirmed by the General Court of Connecticut. These were both taken from the original records remaining in the office of the Secretary for the State. Much time and accuracy were required to obtain an exact copy, on account of the orthography, and particularly for the reason that the record in some parts was nearly obliterated, and in others totally gone. Other parts of the record, therefore, have been resorted to, and the copy rendered complete. The ancient orthography has been accurately preserved. The first revision of the early laws of Connecticut was never before printed. Prior to the revision of 1672, which was printed in 1675, the laws and orders of the General Court were promulgated only by manuscript copies. They were recorded in the public records of the court, and also in the town records, and it was made the duty of the town constables of the several towns

to publish such laws as should be made from time to time, and annually to read the capital laws at some public meeting. To this code may be traced the origin of almost all our civil and religious institutions. Our ancestors have thus, in a great measure, transmitted to their posterity their present customs, manners, and civil and religious opinions."

FROM THE CONSTITUTION OF 1638.

INASMUCH as it hath pleased the Almighty God, by the wise disposition of his divine providence, so to order and dispose of things, that we, the Inhabitants and residents of Windsor, Hartford, and Weathersfeild, are now cohabiting, and dwelling in and uppon the river of Connecticutt, and the landsthereunto adjoining, and well knowing when a people are gathered together, the word of God requires, that to meinteine the peace and union of such a people, there should bee an orderly and decent government established according to God, to order and dispose of the affaires of the people at **all** seasons, as occassion shall require; doe therefore associate and conjoine ourselves to bee as one publique STATE OR COMMONWEALTH; and doe for ourselves and our successors, and such as shall bee adjoined to us at any time hereafter, enter into combination and confederation together, to meinteine and preserve the libberty and purity of the Gospell of our Lord Jesus, which we now profess, as also the discipline of the churches, which, according to the truth of the said Gospell, is now practised amongst us;

as allso in our civill affaires to bee guided and governed according to such lawes, rules, orders, and decrees, as shall bee made, ordered, and decreed, as followeth:

1. *It is ordered, sentenced, and decreed,* That there shall bee yearly two Generall Assembly's or Courtes the one the second Thursday in Aprill, the other the second Thursday in September following: The first shall bee called the Courte of Election, wherein shall bee yearely chosen, from time to time, so many magistrates and other publique officers, as shall bee found requisite, whereof one to be chosen Governor for the yeare ensuing, and untill another bee chosen, and no other magistrate to bee chosen for more then one yeare; provided always, there bee six chosen besides the Governor, which being chosen and sworne according to an oath recorded for that purpose, shall have power to administer justice according to the lawes here established, and, for want thereof, according to the rule of the word of God.

FROM THE CODE OF 1650.

Fforasmuch as many persons of late years have beene and are apt to be injurious to the goods and lives of others, notwithstanding all care and meanes to prevent and punish the same;

*It is therefore ordered by this Courte and authority thereof,* That if any person shall committ Burglary by breaking upany dwelling howse, or shall robb any person in the feild, or highwayes, such a person so offending, shall, for the first offence, bee branded on the forehead with the letter (B); if hee shall offend in the same kinde, the second time,

hee shall be branded as before, and allso, bee severely whipped; and if hee shall fall into the same offence the third time, hee shall bee put to death as being incorrigible; and if any person shall committ such Burglary, or rob in the fields or howse on the Lords day, besides the former punishments, hee shall for the first offence have one of his eares cutt of, and for the second offence in the same kinde, he shall looss his other eare in the same manner; and if hee fall into the same offence the third time, hee shall bee put to death.

## CAPITALL LAWES.

1. If any man after legall conviction, shall have or worship any other God but the Lord God, hee shall bee put to death.—Deut. 13. 6—17. 2.—Exodus 22. 20.

2. If any man or woman bee a Witch, that is, hath or consulteth with a familiar spirritt, they shall bee put to death.—Exodus 22. 18.—Levit, 20. 27.—Deut. 18. 10, 11.

3. If any person shall blaspheme the name of God the ffather, Sonne or holy Ghost, with direct, express, presumptuous or highhanded blasphemy, or shall curse in the like manner, hee shall bee put too death.—Lev. 24. 15, 16.

4. If any person shall committ any willful murther, which is manslaughter committed uppon malice, hatred or cruelty, not in a man's necessary and just defence, nor by mere casualty against his will, hee shall be put to death.—Exo. 21. 12, 13, 14.—Numb. 35, 30, 31.

5. If any person shall slay another through guile, either by poisonings or other such Devellish

practice, hee shall bee put to death.—Exo. 21. 14.

6. If any man or woman shall lye with any beast or brute creature by carnall copulation, they shall surely bee put to death, and the beast shall bee slaine and buried.—Levit. 20. 15, 16.

7. If any man lyeth with mankinde as he lyeth with woman, both of them have committed abomination, they both shall surely bee put to death.—Levit. 20. 13.

8. If any person committeth adultery with a married or espoused wife, the Adulterer and the Adulteress shall surely be put to death.—Levit. 20. 10, and 18. 20.—Deut. 22. 23, 24.

9. If any man shall forcibly, and without consent, Ravish any maide, or woman that is lawfully married or contracted, hee shall bee put to death.—Deut. 22. 25.

10. If any man stealeth a man or mankinde, hee shall bee put to death.—Exodus 21. 16.

11. If any man rise up by false witness, wittingly and of purpose to take away any man's life, hee shall bee put to death.—Deut. 19. 16. 18. 19.

12. If any man shall conspire or attempt any invasion, insurrection or rebellion against the Commonwealth, hee shall bee put to death.

13. If any Childe or Children above sixteene years old and of sufficient understanding, shall Curse or smite their naturall father or mother, hee or they shall bee put to death; unless it can bee sufficiently testified that the parents have beene very unchristianly negligent in the education of such children, or so provoke them by extreme or cruell correction that they have beene forced

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thereunto to preserve themselves from death or maiming.—Exo. 21. 17.—Levit. 20.—Ex. 21. 15.

14. If any man have a stubborne and rebellious sonne of sufficient yeares and understanding, viz. Sixteene yeares of age, which will not obey the voice of his father or the voice of his mother, and that when they have chastened him will not hearken unto them; then may his ffather and mother, being his naturall parents, lay hold on him and bring him to the Magistrates assembled in Courte, and testifie unto them, that their sonne is stubborne and rebellious and will not obey their voice and Chastisement, but lives in sundry notorious Crimes, such a sonne shall bee put to death.—Deut. 21. 20, 21.

#### ECLESEASTICALL.

Fforasmuch, as the open contempt of Gods word, and messengers thereof, is the desolating sinne of civill states and churches, and that the preaching of the word by those whome God doth send, is the cheife ordinary meanes ordained by God, for the converting, edefying and saving the soules of the elect, through the presence and power of the Holy Ghost thereunto promised; and that the ministry of the word is sett upp by God in his churches for those holy ends; and according to the respect or contempt of the same, and of those whome God hath sett aparte for his owne worke and imployment, the weale or woe of all Christian states, is much furthered and promoted:

*It is therefore ordered and decreed,* That if any Christian, so called, within this jurissdiction, shall

contemptuously beare himselfe towards the word preached, or the messengers that are called to dispense the same in any congregation, when hee doth faithfully execute his service, and office therein, according to the will and word of God, either by interrupting him in his preaching, or by charging him falsely with an error, which hee hath not taught in the open face of the church, or like a sonne of Korah, cast uppon his true doctrine, or himselfe, any reproach to the dishonor of the Lord Jesus, whoe hath sent him and to the disparagement of that his holy ordinance, and making Gods wayes contemptible and ridiculous, that every such person or persons, whatsoever censure the church may passe, shall, for the first scandall, bee convented and reprov'd openly, by the magistrates, at some lecture, and bound to their good behaviour: And if a second time they breake forth into the like contemptuous carriage, they shall either pay five pounds to the publique treasure, or stand two houres openly, uppon a block or stoole foure foott high, uppon a lecture day, with a paper fixed on his breast written with capitall letters, AN OPEN AND OBSTINATE CONTEMNER OF GODS HOLY ORDINANCES, that others may feare and bee ashamed of breaking out into the like wickedness.

*It is ordered and decreed by this courte and authority thereof,* That wheresoever the ministry of the word is established, according to the order of the gospell, throughout this jurissdiction, every person shall duely resorte and attend thereunto respectively, uppon the Lords day, and uppon such publique fast days, and dayes of thanksgiving, as

are too bee generally kept by the appointment of authority: And if any person within this jurisdiction shall, without just and necessary cause, withdraw himsefe from heariug the publique ministry of the word, after due meanes of conviction used, hee shall forfeitt for his absence, from every such publique meeting, five shillings: All such offences to bee heard and determined by any one magistrate, or more, from time to time.

Two years after the union of the colonies of New Haven and Connecticut under one government, a law was passed forbidding Indians to profane the Sunday, on penalty of five shillings fine or one hour in the stocks.

On the 19th of May, 1668, a general law was enacted as follows :

“Whereas, the sanctification of the Sabbath is a matter of great concernment to the weal of a people, and the profanation thereof is that as pulls down the judgments of God upon that place or people that suffer the same: It is therefore ordered by this court and the authority thereof, that if any person shall profane the Sabbath, by unnecessary travel, or playing thereon in the time of public worship, or before, or after, or shall keep out of the meeting-house during the public worship unnecessarily, there being convenient room in the house, he shall pay five shillings for every such offense, or sit in the stocks one hour; any one assistant or commissioner to hear and determine any such case. And the constables in the several plantations are hereby required to make search after all offenders against this law,

and make return thereof to the commissioners or assistants.”—Colonial Records of Connecticut, 1665-1667, p. 88.

In 1676 the above was strengthened by the following :

“Whereas, notwithstanding former provisions made for the due sanctification of the Sabbath, it is observed that by sundry abuses the Sabbath is profaned, the ordinances rendered unprofitable, which threatens the rooting out of the power of godliness, and the procuring of the wrath and judgments of God upon us and our posterity ; for prevention whereof it is ordered by this court that if any person or persons henceforth, either on the Saturday night or on the Lord’s day night, though it be after the sun is set, shall be found sporting in the streets or fields of any town in this jurisdiction, or be drinking in houses of public entertainment or elsewhere, unless for necessity, every such person so found, complained of, and proved transgressing, shall pay ten shillings for every such transgression, or suffer corporal punishment for default of due payment. Nor shall any sell or draw any sort of strong drink at any time, or to be used in any such manner, upon the like penalty for every default.

“It is also further ordered that no servile work shall be done on the Sabbath, viz., such as are not works of piety, charity, or necessity ; and no profane discourse or talk, rude or unreverend behavior, shall be used on that holy day, upon the penalty of ten shillings fine for every transgression hereof, and in case the offense be circumstanced with high-handed presumption as well



BANISHED.



[as] profaneness, the penalty to be augmented at the discretion of the judges."—Colonial Records of Connecticut from 1665 to 1677, p. 280.

In 1721 additional laws were passed under the following preamble :

"Whereas, notwithstanding the liberty by law granted to all persons to worship God in such places as they shall for that end provide, and in such manner as they shall judge to be most agreeable to the Word of God; and notwithstanding the laws already provided for the sanctification of the Lord's day, or the Christian Sabbath, many disorderly persons in abuse of that liberty, and regardless of those laws, neglect the public worship of God on the said day, and profane the same by their rude and unlawful behavior; therefore," etc.

By this law :

1. Non-attendance on lawful public worship was subjected to a fine of five shillings.

2. The same penalty was incurred by going forth from one's place of abode for any reason except to attend worship or perform works of necessity.

3. A fine of twenty shillings was imposed for assembling in any meeting-house on Sunday without the consent of the congregation to whom it belonged and the minister who usually officiated in it.

4. Disturbing any meeting for public worship on Sunday was made punishable by a fine of forty shillings.

5. Failure to pay or secure a fine imposed for any of these offenses, within one week, was pun-

ished by labor in the house of correction for one month or less.

6. No appeal from a justice's court was allowed.

7. All charges were to be preferred within one month from the time of the offense.—Acts and Laws of Connecticut, folio, pp. 261, 262. New London, 1715-1737.

Other supplementary acts were also passed, relating mainly to the duties of the civil authorities in executing these laws. In 1726 all assistant justices of the peace were empowered, on their own "plain view or personal knowledge" of profanity, drunkenness, or Sabbath-breaking, to make out a judgment accordingly against the offender, "any law or custom to the contrary notwithstanding."—*Ibid.*, p. 319.

In 1733 a more extensive code was established, of which the following is an outline:

1. Non-attendance on public worship for a specified time was punished by a fine of three shillings.

2. Ten shillings was made the penalty for assembling in a meeting-house without the consent of the congregation and minister for whom it was provided. No persons were allowed to neglect public worship and meet in private houses, on penalty of ten shillings.

3. All work or play, on land or water, on Sundays, fast, or thanksgiving days, was prohibited under a fine of ten shillings.

4. Disturbing public worship by rude or clamorous behavior, in or within hearing of the assembly, was fined forty shillings.

5. All traveling, except in great extremity, was forbidden on pain of twenty shillings fine, and all absence from one's house, except for church attendance, or "necessity," incurred a fine of five shillings.

6. Staying outside at the meeting-house (there being room inside), or going out unnecessarily during service, or playing or talking around places of worship was finable in the sum of three shillings. Gathering in companies in streets, or elsewhere, on the evening before or the evening after the Sunday, or on the evening after any fast day, religious gatherings excepted, was liable to a penalty of three shillings, or two hours in the stocks.

7. Loitering or drinking, in or about any public place after sunset on Saturday night, subjected both the offender and the keeper of the place to a fine of five shillings.

8. No vessel was allowed to put to sea from any harbor, river, or creek within the colonial limits without license, granted only in extreme emergency, nor to weigh anchor within two miles of any place of meeting, unless to get nearer to that place, under forfeiture of thirty shillings.

9. Posting notices on Sunday, or publishing them in any way, was declared illegal, and the proper officers were instructed to destroy all such as should be put up, and the one putting up the same was subjected to a fine of five shillings.

10. Two "tythingmen" were ordered to be appointed for every parish; these were empowered and instructed, after the usual manner, to execute these provisions. Whipping, twenty stripes or

less, was the penalty for nonpayment of a fine.—“Acts and Laws of Connecticut, 1750 to 1772,” pp. 139-142.

In 1761, in spite of all that had been done, traveling is declared to be a “growing evil,” and all assistant justices of the peace are empowered to arrest, without a written warrant, any person traveling unnecessarily, and every sheriff, constable, grand juryman, and tythingman was empowered to take such person into custody, “upon sight or present information of others.” Refusal to aid in any such arrest, when called upon, incurred the usual penalties.—*Ibid.* p. 351.

To quote again from the Code of 1650:

#### FFORNICATION

*It is ordered by this Courte and authority thereof,* That if any man shall committ ffornication, with any single woman, they shall bee punnished, either by injoyning to marriage, or fyne, or corporall punnishment, or all, or any of these, as the Courte or magistrates shall appoint, most agreeable to the word of God.

#### GAMING.

Uppon complaint of great disorder, by the use of the game called shuffle board, in howses of common interteinement, whereby much precious time is spent unfruitfully, and much waste of wyne and beare occasioned :

*It is therefore ordered and enacted by the authority of this Courte,* That no person shall henceforth use the said game of shuffle board in any such howse nor in any other howse, used as a common

for such purpose, uppon payne for every keeper of such howse, to forfeitt for every such offence, twenty shillings: And for every person playing at the said game in any such howse, to forfeitt for every such offence, five shillings; the like penalty shall bee for playing in any place, at any unlawfull game.

## IDLENESS.

*It is ordered by this Courte and authority thereof,* That no person, howseholder or other, shall spend his time idley or unprofitably, under paine of such punishment as the courte shall thinke meete to inflict, and for this end, it is ordered, that the constable of every place shall use speciall care and dilligence, to take knowledge of offenders in this kinde; especially of common coasters, unprofitable fowlers, and tobacco takers, and present the same unto any magistrate, who shall have power to heare and determine the the case, or transfer it to the next courte.

## INKEEPERS.

Fforasmuch, as there is a necessary use of howses of common intertainement, in every common-wealth, and of such as retaile wyne, beare, and victualls; yet because there are so many abuses of that lawfull libberty, both by persons interteining and persons interteined, there is allso need of strict lawes and rules to regulate such an employment.

*It is therefore ordered by this Courte and authority thereof,* That no person or persons licenced for common interteinement, shall suffer any to bee drunken, or drinke excessively, viz., above halfe a

pinte of wyne, for one person, at one time, or to continue tipling above the space of halfe an houre, or at unreasonable times, or after nine of the clock at night, in or about any of their howses, on penalty of five shillings for every such offence; and every person found drunken, viz. so that hee bee thereby bereaved or dissabled in the use of his understanding, appearing in his speech or gesture, in any of the said howses, or elsewhere, shall forfeitt ten shillings; and for excessive drinking, three shillings foure pence; and for continuing above halfe an houre, tipling, two shillings six pence; and for tipling at unseasonable times, or after nine o'clock at night, five shillings, for every offence in these perticulars, being lawfully convicted thereof; and for want of payment, such shall bee imprisoned until they pay or bee sett in the stocks, one houre or more, in some open place, as the weather shall permitt, not exceeding three houres at one time; provided, notwithstanding, such licenced persons may interteine seafaring men or land travelers in the night season, when they come first on shoare, or from their journeye, for their necesseary refreshment, or when they prepare for their voyage or journeye the next day early, so bee no dissorder amongst them, and allso, strangers and other persons, in an orderly way, may continue at such howses of common interteinement during meal times, or uppon lawfull business, what time their occasions shall require.

*And it is allso ordered,* That if any person offend in drunkenness, excessive or long drinking, the second time they shall pay double fynes; and if they fall into the same offence the third time, they

shall pay treble fynes, and if the parties bee not able to pay theire fynes, then hee that is found drunken shall bee punnished by whipping, to the number of ten stripes; and hee that offends by excessive or long drinking, shall bee put into the stocks for three hours, when the weather may not hazzard his life or limbs; and if they offend the fourth time, they shall bee imprisoned untill they put in two sufficient sureties for theire good behavior.

*And it is further ordered,* That the severall townes uppon the river, within this jurissdiction, shall provide amongst themselves, in each towne, one sufficient inhabitant, to keepe an ordinary for provision and lodging, in some comfortable manner, that passengers or strangers may know where to resorte; and such inhabitants, as by the severall townes, shall bee chosen for the said service, shall bee presented by two magistrates, that they may judge meete for that imployment; and this to be effected by the severall townes within one month, under the penalty of forty shillings, a month, for each month that either towne shall neglect the same.

*And it is allso further ordered,* That every in-keeper or victualler shall provide for interteinement of strangers horses, viz., one or more inclosuers for summer, and hay and provender for winter, with convenient stable roome and attendance, under penalty of two shillings sixpence for every dayes default, and double dammage to the partye thereby wronged, except it bee by inevitable accident.

*Lastly, It is ordered by the authority aforesaid,*

That all constables may, and shall, from time to time, duely make search throughout the limitts of their townes, uppon Lords dayes and lecture dayes, in times of exercise, and allso, at all other times, so oft as they shall see cause, for all offences and offenders against this law, in any the particulars thereof; and if uppon due information or complaint of any of their inhabitants, or other credible persons, whether taverner, victualler, tabler, or other, they shall refuse or neglect to make search as aforesaid, or shall not to their power performe all other thinges belonging to their place or office of constablenesship, then uppon complaint and due prooffe before any one magistrate, within three months after such refusall or neglect, they shall bee fyned for every such offence, ten shillings, to bee levied by the marshall as in other cases, by warrant from such magistrate before whome they are convicted, or warrant from the Treasurer, uppon notice from such magistrate.

*It is ordered by this Courte and authority thereof* That no inkeeper, victualler, wine drawer, or other, shall deliver any wyne, nor suffer any to be delivered out of his howse to any which come for it, unless they bring a note under the hand of some one master of some familie and allowed inhabitant of that towne; neither shall sell or draw any hott water to any, but in case of necessitye, and in such moderation for quantity, as they have good grounds to conceive it may not bee abused, and shall be ready to give an account of their doings herein, when they are called thereto under censure of the courte, in case of delinquency.

## LYINGE.

Whereas truth in words, as well as in actions, is required of all men; especially of christians, who are the professed servants of the Lord of truth; and whereas all lyinge is contrary to truth; and some sortes of lyes are not only sinfull, as all lyes are, but allso, pernicious to the publike weal and injurious to perticular persons.

*It is therefore ordered by this Courte, and authority thereof,* That every person at the age of discretion. which is accounted fourteene yeares, who shall wittingly and willingly, make or publish any lye, which may bee pernicious to the publike weal, or tending to the dammage or injury of any perticular person, to deceive and abuse the people with false news or reportes, and the same duly proved in any courte, or before any one magistrate, who hath hereby power graunted, to heare and determine all offences against this lawe, such persons shall be fyned for the first offence, ten shillings, or if the party bee unable to pay the same, then to bee sett in the stocks so long as the said courte or magistrate shall appointe, in some open place, not exceeding three houres; for the second offence in that kinde, whereof any shall bee leegally convicted, the summe of twenty shillings, or bee whipped upon the naked body, not exceeding twenty stripes, and for the third offence that way, forty shillings, or if the party bee unable to pay, then to bee whipped with more stripes, not exceeding thirtye; and if yett, any shall offend in like kinde, and bee legally convicted thereof, such person, male or female, shall bee fyned ten shillings

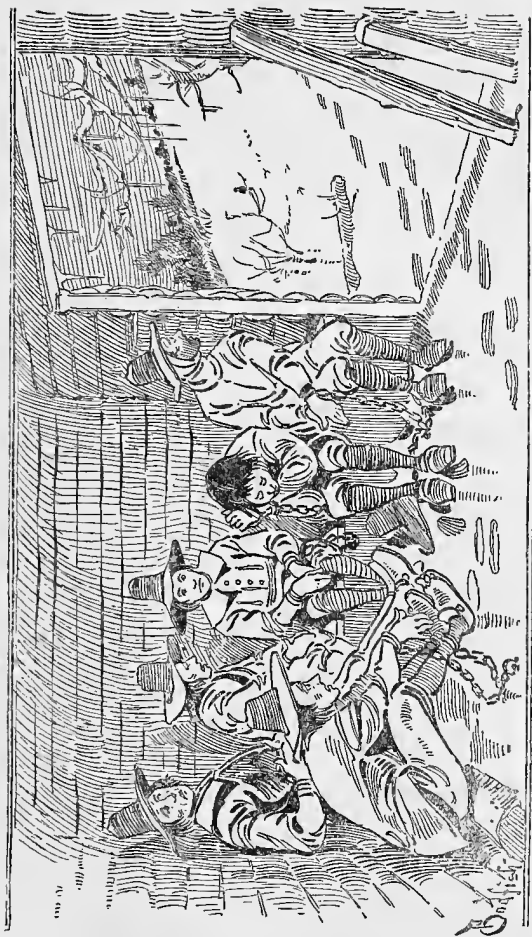
at a time, more than formerly, or if the party so offending bee unable to pay, then to bee whipped with five or six stripes more than formerly, not exceeding forty at any time: And for all such as being under the age of discretion, that shall offend in lyinge contrary to this order, their parents or masters shall give them due correction, and that in the presence of some officer, if any magistrate shall so appointe; provided allso, that no person shall bee barred of his just action of slander, or otherwise, by any proceeding upon this order.

MASTERS, SERVANTS, SOJOURNERS.

*It is ordered by this Courte and authority thereof,* That no master of a family shall give interteiment or habitation to any young man to sojourne in his familie, but by the allowance of the inhabitants of the towne where he dwells, under the penalty of twenty shillings per week: *And it is allso ordered:* That no young man that is neither married, nor hath any servant, nor is a publique officer, shall keepe howse by himselfe, without the consent of the towne, for, and under paine or penalty of twenty shillings a week.

*It is allso ordered by the authority aforesaid,* That no servant, either man or maid, shall either give, sell or truck, any commodity whatsoever, without licence from their master, during the time of their service, under paine of fyne or corporall punishment, at the discretion of the Courte, as the offence shall deserve; and that all workmen shall work the whole day, allowing convenient time for food and rest.

*It is allso ordered,* That when any servants shall



"Imprisoned, without fire, bed, or straw, in the coldest season of the year, for breaking the ecclesiastical law."



runn from their masters, or any other inhabitants shall privately goe away with suspicion of ill intentions, it shall bee lawfull for the next magistrate, or the constable and two of the chiefest inhabitants, where no magistrate is, to press men and boates or pinnaces, at the publique charge, to pursue such persons by sea or land, and bring them back, by force of armes.

#### MARRIAGE.

Forasmuch as many persons entangle themselves with rashe and inconsiderate contracts for their future joininge in marriage covenant, to the great trouble and greife of themselves and their friends, for the preventing thereof,

*It is ordered by the authority of this Courte, That whosoever intends to joine themselves in marriage covenant, shall cause their purpose of contract to bee published in some publique place, and at some publique meeting, in the severall townes where such persons dwell, at the least, eight dayes before they enter into such contract, whereby they engage themselves each to other; and that they shall forbear to joine in marriage covenant, at least eight days after the said contract.*

*And it is also ordered and declared, That no person whatsoever, male or female, not being at his or her owne dispose, or that remaineth under the government of parents, masters or guardians, or such like, shall either make or give interteinment to any motion or sute, in way of marriage, without the knowledge and consent of those they stand in such relation to, under the severe censure*

of the courte, in case of delinquency not attending this order; nor shall any third persons intermeddle in making any motion to any such, without the knowledge and consent of those under whose government they are, under the same penalty.

#### MINISTERS MEINTEINANCE.

Whereas the most considerable persons in the land came into these partes of America, that they might enjoye Christe, in his ordinances, without disturbance; and whereas, amongst many other pretious meanes, the ordinances have beene and are dispensed amongst us, with much purity and power, they tooke it into their serious consideration, that a due meinteinance according to God might bee provided and settled, both for the present and future, for the incouragement of the ministers worke therein; and doe order, that those who are taught in the word, in the severall plantations, bee called together, that every man voluntarily sett downe what hee is willing to allow to that end and use; and if any man refuse to paye meete proportion, that then hee bee rated by authority, in some just and equall way; and if after this, any man withhold or delay due payment, the civill power to be exercised as in other just debts.

#### OATHS.

I A. W. now chosen to be Governor within this jurissdiction, for this yeare ensuing, and untill a new bee chosen, doe sweare by the great and dreadful name of the everlasting God, to promoate the publique good and peace of the same accord-

ing to the best of my skill ; as allso, will meinteine the lawfull priviledges of this commonwealth ; as allso, that all wholesome lawes, that are or shall bee made by lawfull authority, here established, bee duly executed, and will further the execution of justice, according to the rule of Gods word ; so helpe mee God, in the name of the Lord Jesus Christe. [Oaths of other officers were similarly worded.]

## PROFANE SWEARING.

*It is ordered, and by this Courte decreed,* That if any person within this jurissdiction shall sweare rashly and vainely, either by the holy name of God, or any other oath, and shall sinfully and wickedly curse any, hee shall forfeitt to the common treasure, for every such several offence, ten shillings: And it shall bee in the power of any magistrate, by warrant to the constable, to call such persons before him, and uppon just prooffe to pass a sentence, and levye the said penalty, according to the usual order of justice ; and if such persons bee not able, or shall utterly refuse to pay the aforesaid fyne, hee shall bee committed to the stocks, there to continue, not exceeding three houres, and not less than one houre.

## TOBACKO.

Fforasmuch as it is observed that many abuses are crept in, and committed, by frequent taking of tobacko.

*It is ordered by the authority of this Courte,* That no person under the age of twenty one years, nor any other, that hath not already accustomed him-

selfe to the use thereof, shall take any tobacco, untill hee hath brought a certificate under the hands of some who are approved for knowledge and skill in phisick, that it is usefull for him, and allso, that hee hath received a lycense from the court for the same.—And for the regulating of those, who either by theire former taking it, have, to theire owne apprehensions, made it necessary to them, or uppon due advice, are perswaded to the use thereof,

*It is ordered,* That no man within this colonye, after the publication hereof, shall take any tobacco publicquely, in the streett, highwayes or any barne yardes, or uppon training dayes, in any open places, under the penalty of six-pence for each offence against this order, in any the perticulars thereof, to bee paid without gainesaying, uppon conviction, by the testimony of one witness, that is without just exception, before any one magistrate. And the constables in the several townes, are required to make presentment to each perticular courte, of such as they doe understand, and can evict to bee transgressors of this order.

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Thus the Code, so far as it relates to other than ordinary business and governmental affairs. That the colony was early made a practical theocracy is known by the following document, the most ancient record of New Haven, and certainly a curiosity of civil government. It is dated but a year after the founding of the colony, and evidently was the first step toward establishing a government:

The 4th day of the 6th moneth, called June, 1639, all the free planters assembled together in a general meetinge, to consult about settling civil government according to God, and about the nomination of persons that may be found by consent of all fittest in all respects for the foundation work of a Church which was intended to be gathered in Quinipieck. - After sollemne invocation of the name of GOD in prayer, for the presence and help of his spirit and grace in these weighty businesses, they were reminded of the business whereabout they met (viz) for the establishment of such civil order as might be most pleasing unto GOD, and for the chusing the fittest man for the foundation work of a church to be gathered. For the better enabling them to discern the minde of GOD, and to agree accordingly concerning the establishment of civil order, Mr. John Davenport propounded divers queries for them, publicly praying them to consider seriously in the presence and feare of GOD the weight of the business they met about, and not to be rash or sleight in giving their votes to things they understood not, but to digest fully and thoroughly what should be propounded unto them, and without respect to men, as they should be satisfied and perswaded in their own minds to give their answers in such sort as they would be willing they should stand upon record for posterity.

This being earnestly expressed by Mr. Davenport, Mr. Robert Newman was intreated to write in characters and to read distinctly and audibly in the hearing of all the people, what was propounded and accorded on, that it might appear

that all consented to matters propounded according to words written by him.

Quære 1. Whether the Scriptures doe holde fourth a perfect rule for the direction and government of all men in all duteyes which they are to perform to GOD and men as well in the government of familyes and commonwealths as in matters of the church?

This was assented unto by all, no man dissenting, as was expressed by holding up of hands. Afterwards it was read over to them, that they might see in what wordes their vote was expressed: they againe expressed their consent thereto by holding up their hands, no man dissenting.

Quære 2. Whereas there was a covenant solemnely made by the whole assembly of free planters of this plantation, the first day of extraordinary humiliation that we had after we came together, that as in matters that concern the gathering and ordering of a church, so likewise in all publique offices, which concern civil order, as choyce of magistrates and officers, making and repealing of laws, divideing allotments of inheritances, and all things of like nature we would all of us be ordered by those rules which the scripture holds forth to us. This covenant was called a plantation covenant to distinguish it from a church covenant, which could not at that time be made, a church not being then gathered, but was deferred till a church might be gathered according to GOD. It was demanded whether all the free planters doe hold themselves bound by that covenant in all business of that nature which are

expressed in the covenant, to submit themselves to be ordered by the rules which are held forth in the scripture.

This also was assented unto by all, and no man gainsayed it, and they did testify the same by holding up their handes, both when it was first propounded, and afterwards confirmed the same by holding up their hands when it was read unto them in publike. John Clark being absent when the covenant was made doth now manifest his consent to it. Also Richard Beach, Andrew Low, Goodman Bamster, Arthur Halbidge, John Potter, Richard Hill, John Brockett, and John Johnson, these persons being not admitted planters when the covenant was made doth now expresse their consent to it.

Quære 3. Those who have desired to be received as free planters and are settled in the plantation with a purposed resolution and desire that they may be admitted into church fellowship, according to Christ, as soon as GOD shall fitt them thereunto, were desired to express it by holding up of hands, accordingly all did express this to be their desire and purpose, by holding up their hands twice, (viz) both at the proposal of it, and after when these written words were read unto them.

Quære 4. All the free planters were called upon to express whether they held themselves bound to establish such civil order as might best conduce to the securing the purity and peace of the ordinances to themselves and their posterity, according to GOD. In answer hereunto they expressed by holding up their hands twice as before: That they helde themselves bound to establish such

civil order as might best conduce to the ends aforesaid.

Then Mr. Davenport declared unto them by the scriptures what kind of persons might best be trusted with matters of government, and by sundry arguments from scripture proved that such as were described Ex. 18, 1. Deut. 1. 13. with Deut. 19, 15. and 1 Cor. 6. 1 to 7, ought to be entrusted by them, seeing they were free to cast themselves into that mould and forme of commonwealth which appeareth best for them in reference to the securing the pure and peaceable enjoyment of all Christ his ordinances in the church according to GOD, whereunto they have bound themselves as hath been acknowledged. Having said this he sat down, praying the company freely to consider whether they would have it voted at this time or not. After some space of silence Mr. Theophilus Eaton answered it might be voted, and some others also spake to the same purpose, none at all opposing it. Then it was propounded to vote.

Quære 5. Whether free Burgesses shall be chosen out of Church members, that they are in the foundation work of the Church being actually free Burgesses; and to chuse to themselves out of the like estate of church fellowship, and the power of chusing magistrates and officers from among themselves and the power of making and repealing laws according to the word, and the dividing of inheritances, and the deciding differences that may arise, and all the businesses of like nature are to be transacted by those free Burgesses.

This (viz., Quære 5) was put to vote, and

agreed unto by the lifting up of hands twice, as in the former cases it was done. Then one man stood up after the vote was past, and expressing his dissenting from the rest, in that yet granting:

1. That magistrates should be men fearing GOD.
2. That the Church is the company whence ordinarily such men may be expected.
3. That they that chuse them ought to be men fearing GOD,

onely at this he sticke, That free planters ought not to give the power out of their hands.

Another stood up and answered that in this case nothing was done but with their consent. The former answered that all the free planters ought to resume this power into their own hands again if things were not orderly carried. Mr. Theophilus Eaton answered that in all places they chuse committees. In like manner the companys of London chuse the liverys by whom the publique magistrates are chosen. In this the rest are not wronged: because they expect to be of the livery themselves, and to have the same power. Some others intreated the former to give his arguments and reasons whereupon he dissented. He refused to doe it, and said they might not rationally demand it, seeing he let the vote pass on freely, and did not speak until after it was past because he would not hinder what they agreed upon. Then Mr. Davenport, after a short relation of some former passages between them two about this question, prayed the company that nothing might be concluded by them in this weighty question but what themselves were persuaded to be agreeing with the minde of GOD, and they had heard what had been said since the vote, intreated them

agayne to consider of it, and agayne to put it to vote as before. Agayne all of them, by holding up their hands, did shew their consent as before. And some of them professed, that whereas they did waver before they came to the assembly, they were now fully convinced that it is the minde of GOD. One of them said that in the morning before he came, reading Deuteronomy 17. 15. he was convinsed at home. Another said that he came doubting to the assembly, but he blessed GOD, by what had beene said he was now fully satisfied that the choyce of Burgesses out of Church members and to intrust these with the power before spoken of, is according to the minde of GOD revealed in the scripture. All having spoken their apprehensions it was agreed upon, and Mr. Robert Newman was desired to write it as an order whereunto every one that hereafter should be admitted here as planters should submit and testify the same by subscribing their names to the order namely,

That Church members only shall be free Burgesses, and they only shall chuse magistrates and officers among themselves, to have the power of transacting all publique civil affairs of this plantation, of making and repealing laws, devideing of inheritances, deciding of differences that may arise, and doing all things or businesses of a like nature.

This being settled as a fundamental article concerning civil government, Mr. Davenport propounded and proposed some things to consideration about the gatheringe of a Church. And to prevent the blemishing of the first beginnings of the worke, he advised that the names of such as

were to be admitted might be publicly propounded, to the end that they who were most approved might be chosen; for the town being cast into several private meetings wherein they that dwelt nearest together gave their accounts one to another of GODS gracious work upon them, and prayed together, and conferred to their mutual edification, sundry of them had knowledge one of another, and in every meeting some one was more approved of all than any other. For this reason, and to prevent scandalls, the whole company was intreated to consider whom they found fittest to nominate for this worke.

Quære 6. Whether are you all willing and do agree in this, that twelve men be chosen, that their fitness for the foundation work may be tried, however there may be more named, yet it may be in their power who are chosen to reduce them to twelve and it be in the power of those twelve to chuse out of themselves 7, that shall be most approved of the major part to begin the church.

This was agreed upon by consent of all, as was expressed by holding up of hands, and that so many as should be thought fit for the foundation work of the church shall be propounded by the plantation and written down, and passe without exception, unlesse they had given publique scandall or offence, yet so as in case of publique scandall and offence, every one should have liberty to propound their exceptions at that time publicly against any man that should be nominated when all the names should be writ down, but if the offence were private, that men's names might be tendered; so many as were offended



TORTURE OF GILES COREY (See p. 54).

were intrated to deal with the offender privately. And if he gave not satisfaction to bring the matter to the twelve that they might consider of it impartially and in the feare of GOD. The names of the persons named and agreed upon were Mr. T. Eaton, Mr. J. Davenport, Robert Newman, Matthew Gibb, Richard Malthie, Nathaniel Turner, Thomas Fugill, John Punderson, William Andrews, John Dixon. No exception was brought against any of these in public, except one about taking an excessive rate for meal that he had sold to one of Pequonnock in his neede, which he confessed with grief, and declared that having been smitten in heart, and troubled in his conscience, he offered such a part of the price back again, with confession of his sin to the party, as he thought himself bound to do. And it being feared that the report of the sin was heard further than the report of his satisfaction, a course was concluded on to make the satisfaction to as many as heard of the sin. It was also agreed upon at said meetinge, that if the persons above named did find themselves straitened in the number of fit men for the 7, that it should be free for them to take into tryal of fitness such other as they should think meete. Provided that it should be signified to the towne upon the Lord's day who they so take in that every man may be satisfied of them, according to the course formerly taken.

[The foregoing was subscribed and signed by one hundred and eleven persons.]

It will be seen from the foregoing facts cited and laws quoted that the Rev. Samuel Peters had ample ground for compiling in his "General His-

tory of Connecticut," a code of Blue Laws. From a summary of that work we subjoin his list, and following we give the historical account of the persecution of witches, Quakers, and heretics in the Colonies, which shows that his Blue Laws were actually enforced if not enacted. As Dr. Lewis says, in his "Critical History of Sunday Legislation": "The Blue Laws which exist in tradition are a fair index to the rigid spirit of those days."

REV. SAMUEL PETERS' CODE.

Conspiracy against this Dominion shall be punished with death.

Whoever says there is a power and jurisdiction above and over this Dominion shall suffer death and loss of property.

Whoever attempts to change or overturn this Dominion shall suffer death.

The judges shall determine controversies without a jury.

• No one shall be a freeman, or give a vote, unless he be converted and a member in full communion in one of the Churches allowed in this Dominion.

• No man shall hold any office who is not sound in the faith, and faithful to this Dominion; and whoever gives a vote to such a person shall pay a fine of £1; for a second offense he shall be disfranchised.

Each freeman shall swear by the blessed God to bear true allegiance to this Dominion, and that Jesus is the only King.

No Quaker or Dissenter from the established worship of this Dominion shall be allowed to give

a vote for the election of magistrates or any officer.

No food or lodging shall be afforded to a Quaker, Adamite, or other Heretic.

If any person turns Quaker, he shall be banished, and not suffered to return but upon pain of death.

No priest shall abide in the Dominion; he shall be banished, and suffer death on his return. Priests may be seized by any one without a warrant.

No one to cross a river, but with an authorized ferryman.

No one shall run on the Sabbath-day or walk in the garden or elsewhere, except reverently to and from meeting.

No one shall travel, cook victuals, make beds, sweep house, cut hair, or shave, on the Sabbath-day.

No woman shall kiss her child on the Sabbath or fasting-day.

The Sabbath shall begin at sunset on Saturday.

A person accused of trespass in the night shall be judged guilty, unless he clear himself by his oath.

When it appears that an accused has confederates, and he refuses to discover them, he may be racked.

No one shall buy or sell lands without permission of the selectmen.

A drunkard shall have a master appointed by the selectmen, who are to debar him from the liberty of buying and selling.

Whoever publishes a lye to the prejudice of his neighbor, shall sit in the stocks or be whipped fifteen stripes.

No minister shall keep a school.

Every rateable person who refuses to pay his proportion to the support of the minister of the town or parish, shall be fined by the Court £2, and £4 every quarter, until he or she pay the rate to the minister.

No one shall read Common Prayer, keep Christmas or Saints'-days, make minced pies, dance, play cards, or play on any instrument of music, except the drum, trumpet, and jews'-harp.

- Fornication shall be punished by compelling marriage, or as the court may think proper.

- Adultery shall be punished with death.

A man that strikes his wife shall pay a fine of £10; a woman that strikes her husband shall be punished as the Court directs.

No man shall court a maid in person, or by letter, without first obtaining consent of her parents; £5 penalty for the first offense, £10 for the second; and for the third imprisonment during the pleasure of the Court.

- Married persons must live together or be imprisoned.

- Every male shall have his hair cut round, according to a cap.

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This code, evidently, was formulated by Mr. Peters from actual happenings and decisions of the courts as well as from the records. He gave the spirit if not letter of the law, and we have scripture authority that it is the spirit which giveth life. In this case, however, it gave life to bigotry and death to liberty, as the annexed account of the Prosecution of Witches and Quakers develops.

## PERSECUTIONS OF WITCHES AND QUAKERS IN NEW ENGLAND.

The religious superstition which the colonists brought over from Europe afforded a fertile soil for the dire evils and vagaries of witchcraft. The belief in an ever-present, personal devil was general. The clergy preached it from the pulpit, and almost every individual unfalteringly believed in the old "Evil One." It was not uncommon for certain of the devout ones to report having seen the devil, horns, hoofs, and all. The Rev. John Higginson, a Puritan clergyman, in a letter to Increase Mather, detailed an account of how the devil called upon a young man by the name of Sharp and presented him with a book, saying: "Here is a book for you; keep this till I call for it again." Young Sharp being fond of reading soon began to peruse the work, whereupon a strange kind of horror seized him, both of body and mind, which caused the hair of his head to stand upon end, which continued until he closed the book. Upon repeating the same on subsequent occasions and experiencing the same results, he acquainted his master with the facts. They at once concluded that it was a conjuring book and that it was the devil who brought it. The book was cast into the flames and the devil never afterwards called for it.

The Rev. Cotton Mather entertained a profound fear of the devil, and in one of his sermons says:

"No place, that I know of, has got such a spell upon it as will always keep the devil out. The meeting-house, wherein we assemble for the worship of God, is filled with many holy people and many holy concerns continually; but, if our eyes were so refined as the servant of the prophet had his of old, I suppose we should now see a throng of devils in this very place.

"When we are in the church assemblie, oh, how many devils, do you imagine, crowd in among us! There is a devil that rocks one to sleep. There is a devil that makes another to be thinking of, he scarcely knows what himself. And there is a devil that makes another to be pleasing himself with wanton and wicked speculations. It is also possible that we have our closets or our studies gloriously perfumed with devotions every day; but, alas! can we shut the devil out of them? No; let us go where we will, we shall still find a devil nigh unto us. Only when we come to heaven, we shall be out of his reach forever."

When such a firm belief in devils prevailed, it can be understood how easy it was to transplant on American soil the blighting superstition about witches that had so long prevailed in Europe. A brief mention will here be made of some of the trials and executions for witchcraft that took place in Massachusetts, commencing about the middle of the seventeenth century.

Margaret Jones was executed as a witch in Boston, June 15, 1648.

Hugh and Mary Parsons of Springfield were arrested and tried on the charge of witchcraft, but it appears they were not executed.

A woman at Dorchester, and another at Cambridge, were executed as witches in 1650.

Mrs. Ann Hibbins, as stated by Hutchinson, was tried and executed as a witch in 1655.

The same author mentions another case that took place at Hartford, Conn., where two women were prosecuted, who got so bewildered that one of them confessed to such preposterous particulars as to be wholly incredible. They were condemned and executed in 1669.

Another case of similar kind took place at Hampton in 1673, but the woman was not executed.

Eunice Cole was tried in 1673 before the county court at Salisbury on the charge of witchcraft and holding familiar intercourse with the devil. She was imprisoned in Boston for a time, and then ordered to depart from that jurisdiction.

Caleb Powell, a sailor, an astronomer, and astrologer, from his rather extensive knowledge, was believed to be a wizard, and was brought before the court at Ipswich on March 30, 1680. Not being able to convict him, the charge was transferred to an old lady, Elizabeth Morse. Though the evidence against her was frivolous to the last degree, she was, nevertheless, convicted, and would have been executed had not the humane Governor Bradstreet been merciful enough to pardon her, at which many Christian people were greatly offended.

Mrs. Glover, an Irishwoman, of Boston, was

executed in 1688 for bewitching four children of Mr. Goodwin's. It is believed she was partially crazy. The oldest of the children was thirteen years of age. The most experienced physicians pronounced them bewitched. Cotton Mather stated that their conduct was very extraordinary. "At one time they would bark like dogs, and then again they would purr like cats. Yes," said he, "they would fly like geese and be carried with an incredible swiftness, having but just their toes now and then upon the ground, sometimes not once in twenty feet, and their arms waved like the wings of a bird."

The period is now reached—the year 1692—when the noted phase of delusion broke out at Salem, Mass., known as the Salem Witchcraft. The general religious superstition which pervaded the Puritanic people of New England fitted them to become ready believers in all sorts of diabolism or the great power of the devil over humans. This Salem imposture began at the house of the Rev. Samuel Parris, the pastor of a church in that village. His daughter Elizabeth, Ann Putnam, Mary Walcot, Mary Lewis, Elizabeth Hubbard, Susanna Sheldon, Mary Warren, Sarah Churchill, and others, including some Indians from the West Indies, were in the habit of meeting at the house of Parris to take lessons in and practice palmistry, fortune-telling, necromancy, and magic. They became very expert in many arts and tricks, and showed not a little talent in acting and representing various characters. Ann Putnam, though younger than most of the others, was the leading spirit of the party,

and was quick at repartee and in readily devising expedients in any emergency. They soon came to understand each other well, and acted in concert in pretending to be bewitched so as to astonish beholders. They claimed that they were choked, thrown into spasms and convulsions, and otherwise submitted to torture by persons in the neighborhood who had entered into compact with the devil; and upon such claims and pretensions large number of persons of all ages, and many of them of unblemished character, were arrested, thrown into prison, and subjected to an *ex parte* trial, semi-theological in character, before which the girls appeared as accusers, and declared that they had been and were tormented by the accused; and while the trials were in progress, and whenever they deemed it necessary, they went into convulsions and spasms, often falling to the floor, insisting that the accused parties were causing this distress and torture. Upon this kind of evidence multitudes of people were torn from their homes and sent to crowded, uncomfortable prisons to remain eight or ten months. Thirteen women and six men were hanged, and one infirm old man, Giles Corey, eighty-one years of age, was pressed to death under a board loaded with heavy weights until his tongue protruded from his mouth and his breath was literally crushed out of him. The society in and about Salem was greatly demoralized by these villainous charges. None was safe. Every person was liable to fall under these accusing girls and their confidential advisers, who had not a little influence over them. A reign of terror existed in the community. The witch

trials held in a church in Salem were the all-absorbing matters of interest. To avoid this cruel persecution many were forced to leave their homes, some going to Europe and some to other localities. The state of society was utterly demoralized.

Upham, in his "Salem Witchcraft," vol. ii, p. 380, says: "The evils of this epidemic cast their shadow over a broad surface and darkened the condition of generations. . . . The fields were neglected, fences, roads, barns, even the meeting-house went into disrepair. . . . Scarcity of provisions, nearly amounting to a famine, continued for some time; farms were brought under mortgage or sacrificed, and large numbers of people were dispersed. One locality in Salem village . . . bears to this day the marks of the blight. . . . The ruinous results were not confined to the village, but spread more or less over the country."

Hutchinson, the earliest historian of these remarkable witch trials, says: "No wonder the whole country was in consternation, when persons of sober lives and unblemished characters were committed to prison upon such sort of evidence. Nobody was safe."

Space can be used to mention but a few of the cases that were brought before those witch courts, when the Rev. Cotton Mather and the Rev. Samuel Parris figured conspicuously and wielded a powerful control. William Hobbs was arrested in April, 1692. A kind of mock trial was held over him, and he was sent to prison, where he remained till December, when he was admitted to



"On first conviction, twenty stripes; second, loss of an ear if a man, and if a woman, to be severely whipped, and the third, to have the tongue bored through with a red-hot iron."—  
Puritan law for Punishment of Quakers.



bail and a fine imposed upon him. In May, 1693, the fine was remitted and he set at liberty.

Elizabeth Howe, an estimable lady, whose husband was blind, and she a mother of several children, was accused of bewitching the girls aforesaid, and was thrown into prison. Her blind husband, led by one of the children, made a trip of several miles almost daily to visit her in her miserable cell, where she was so long confined without having committed a single wrong. She was at last executed by hanging.

Bridget Bishop, a married woman of good character, passed through a similar experience. She was hanged.

Mrs. Mary Bradbury, seventy-five years of age, who for over half a century had been a faithful wife and an honorable, useful member of society, was submitted to the same accusations and trials. She was condemned to death, but the excitement spent itself before the execution was carried out, and her life was not taken.

George Jacobs, Sr., a tall, gray-headed old man, was one of the sufferers. He, too, was executed for, as was believed, being in league with the devil.

George Burroughs, a minister and a man of excellent character, was unfortunate enough to fall under the ban of the accusing girls whose attention it was thought had been directed to him by an interested party. He had previously resided in Salem, where he preached for some years, and had removed to what is now the state of Maine. But he was denounced by these bewitched girls, a legal process was issued for him and he was sent

for and brought to Salem, being compelled to leave his helpless family unprovided for, and with hardly a moment's notice. He was thrown into prison, brought before the court, and with no evidence save what the girls said of him, he was convicted and sent to the gallows.

Elizabeth Cary, wife of Jonathan Cary, was accused by two of the girls and one of the Indians. She was arrested and heavy irons were placed upon her limbs, but through the efforts of her husband she escaped to Rhode Island, and afterwards to New York, where she was kindly received by Governor Fletcher. Her husband was afterwards arrested and the property which he had left with a friend was taken and confiscated.

John Alden was arrested and imprisoned fifteen weeks, when he was fortunate enough to make his escape.

Giles Corey's case was a hard one. He was a sufferer under High Priest Parris and his female accusers. His wife had been complained of, and he knowing her innocence, spoke strongly in her defense. He was arranged before the same court, but could not be induced to make a plea either of guilty or not guilty. He was a man of some property and he wished what he had to go to his children. He knew that if he confessed or pleaded guilty, his effects, in case of conviction, instead of going to his heirs would be grabbed either by the church or the court that convicted him. He adhered to his resolution, confessing nothing, and making no plea though three times brought before the legal dignitaries. In consequence of the silence he maintained, the sentence of *peine forte*

*et dure*, from the code of King James I., was passed upon him, which was that he be remanded to his low, damp dungeon, to be there laid upon his back on the bare floor, naked for the most part, a board to be laid upon him, and weights enough piled on the board to nearly crush the life out of him, and to have no sustenance, save on the first day three morsels of very poor bread, and on the second day three draughts of standing or stagnant water, the nearest to be found to the prison door, and this to be alternately his daily diet until he died.

This horrible sentence was carried out and the suffering that man passed through cannot be conceived. The agony of him who died upon the cross after three hours of exposure was trifling compared with the protracted agony endured by the aged Giles Corey, more than four score years old. It is said the last act in this diabolical tragedy was enacted in an open field near the prison. The wretched sufferer begged his executioners to increase the weights which were crushing him that his agonies might be ended. The hope, however, that he would yield and acknowledge his guilt, so that his property could be secured, induced them not to hurry his death. But he assured them that it was of no use to expect him to yield; that there could be but one way of ending the matter, and that they might as well pile on the rocks and have the matter ended. Calef says that as his body yielded to the pressure, his tongue protruded from his mouth, and an official forced it back with his cane. This inhuman act is attributed to the pious Parris, who made him-

self so officious in the Salem trials and executions. Upham, in narrating this horrid cruelty, says: "For a person more than eighty-one years of age this must be allowed to have been a marvelous exhibition of prowess; illustrating, as strongly as anything in human history, the power of a resolute will over the utmost pain and agony of body and demonstrating that Giles Corey was a man of heroic nerve and a spirit that could not be subdued." This was a case of Christian persecution, where the recipient was, as has been the case in thousands of other instances, vastly superior, in everything that constitutes manhood, to the person who inflicted it.

The following persons were brought to trial at one time, the grand jury having found about fifty indictments: Rebecca Jacobs, Margaret Jacobs, Sarah Buckley, Job Tookey, Hannah Tyler, Candy, Mary Marston, Elizabeth Johnson, Abigail Baker, Mary Tyler, Sarah Hawkes, Mary Wardwell, Mary Bridges, Hannah Post, Sarah Bridges, Mary Osgood, Mary Lacy, and Mary Post. The last three were condemned but not executed; all the rest were acquitted. On another day warrants were issued for the following unfortunate individuals: William Hobbs and Deliverance his wife, Nehemiah Abbot, Jr., Mary Easty, Sarah Wilds, Edward Bishop and Sarah his wife, Mary Black, and Mary English. On a single day these convicted victims were sentenced to death: Sarah Good, Sarah Wilds, Elizabeth How, Susanna Martin, and Rebecca Mun. They were all executed on the nineteenth of July, 1692.

"The wife of an honest and worthy man in

Andover was sick of a fever. After all the usual means had failed to check the symptoms of her disease, the idea became prevalent that she was suffering under an 'evil hand.' The husband, pursuant of the advice of friends, posted down to Salem Village to ascertain from the afflicted girls who was bewitching his wife. Two of them returned with him to Andover. Never did a place receive such fatal visitors. The Grecian horse did not bring greater consternation to ancient Ilium. Immediately after their arrival, they succeeded in getting more than fifty of the inhabitants into prison, several of whom were hanged. A perfect panic swept like a hurricane over the place. The idea seized all minds, as Hutchinson expresses it, that the only 'way to prevent an accusation was to become an accuser.' 'The number of the afflicted increased every day, and the number of the accused in proportion.' In this stage of things, such a great accession being made to the ranks of the confessing witches, the power of the delusion became irresistibly strengthened. Mr. Dudley Bradstreet, the magistrate of the place, after having committed about forty persons to jail, concluded he had done enough, and declined to arrest any more. The consequence was that he and his wife were cried out upon, and they had to fly for their lives. They accused his brother, John Bradstreet, with having 'afflicted' a dog. Bradstreet escaped by flight. The dog was executed. The number of persons who had publicly confessed that they had entered into a league with Satan, and exercised the diabolical power thus acquired to the injury, torment, and death of innocent parties, produced

a profound effect upon the public mind. At the same time the accusers had everywhere increased in number, owing to the inflamed state of imagination universally prevalent, which ascribed all ailments or diseases to the agency of witches, to a mere love of notoriety and a passion for general sympathy, to a desire to be secure against the charge of bewitching others, or to a malicious disposition to wreak vengeance upon enemies. The prisons in Salem, Ipswich, Boston, and Cambridge were crowded. All the securities of society were dissolved. Every man's life was at the mercy of every other man. Fear sat on every countenance, terror and distress were in all hearts; silence prevailed the streets; all who could, quit the country; business was at a stand; a conviction sank into the minds of men that a dark and infernal confederacy had got foothold in the land, threatening to overthrow and extirpate religion and morality, and establish the kingdom of the prince of darkness in a country which had been dedicated, by the prayers and tears and sufferings of its pious fathers, to the church of Christ, and the service and worship of the true God. The feeling, dismal and horrible indeed, became general that the providence of God was removed from them; that Satan was let loose and that he and his confederates had free and unrestrained power to go to and fro, torturing and destroying whomever he willed. We cannot, by any extent of research or power of imagination, enter fully into the ideas of the people of that day; and it is therefore absolutely impossible to appreciate the awful condition of the community at the point of

time to which our narrative has led us " (Upham's *Salem Witchcraft*, vol. ii, 247-250).

In speaking of the unjust trial and conviction of Rebecca Nurse, Upham says: "But nothing can extenuate the infamy that must forever rest upon the names of certain parties to the proceedings. Not to attempt here to measure the guilt of the accusing witnesses, it may be mentioned that it was the deliberate conviction of the family of Rebecca Nurse that Mr. Parris, more than all other persons, was responsible for her execution; whether by his officious activity in driving on the prosecution, or in preventing her reprieve, cannot be known. Of the prominent part taken by Mr. Noyes in the cruel treatment of this woman, there is no room for doubt. The records of the First Church in Salem are darkened by the following entry: '1692, July 3.—After sacrament, the elders propounded to the church—and it was, by an unanimous vote, consented to—that our sister Nurse, being a convicted witch by the Court, and condemned to die, should be excommunicated; which was accordingly done in the afternoon, she being present' " (Ibid, p. 290).

In speaking of the minister, George Burroughs, Upham uses this language: "A review of what can be gleaned in reference to Mr. Burroughs at Casco Bay and Salem Village, and a considerate survey and scrutiny of all that has reached us from the day of his arrest to the moment of his death, have left a decided impression that he was an able, intelligent, and true-minded man; ingenuous, sincere, humble in his spirit; faithful and devoted as a minister; and active, disinterested, and generous

as a citizen. His descendants, under his own name and the names of Newman, Fowle, Holbrook, Fox, Thomas, and others, have been numerous and respectable" (Ibid, pp. 303, 304).

Speaking of his execution, he says, quoting a paragraph from Calef: "As soon as he was turned off, Mr. Cotton Mather, being mounted upon a horse, addressed himself to the people, partly to declare that he (Mr. Burroughs) was no ordained minister, and partly to possess the people of his guilt, saying that the devil had often been transformed into an angel of light; and this somewhat appeased the people, and the executions went on. When he was cut down, he was dragged by a halter to a hole, or grave, between the rocks, about two feet deep; his shirt and breeches being pulled off, and an old pair of trousers of one executed put on his lower parts: he was so put in, together with Willard and Carrier, that one of his hands, and his chin, and a foot of one of them, were left uncovered."

"Cotton Mather, not satisfied with this display of animosity, at a moment when every human heart, however embittered by prejudice, is hushed for the time in solemn silence, attempts, in an account afterwards given of Mr. Burroughs's trial, to blacken his character by an elaborate dressing-up of the absurd stories told by the accusers, and a perverse misrepresentation of the demeanor of the accused. He relates with apparent glee what was regarded as a wonderful achievement of adroitness on the part of Chief-Justice Stoughton in trapping Mr. Burroughs, and putting the laugh upon him in court" (Ibid, p. 301).



"Quakers, both men and women, were hanged in the presence of the priests, who were pleased with nothing better."



On the case of John Proctor and George Jacobs, Sr., Mr. Upham uses this language: "John Proctor had spoken so boldly against the proceedings, and all who had part in them, that it was felt to be necessary to put him out of the way. He had denounced the entire company of the accusers, and their revenge demanded his sacrifice. They brought the whole power of their cunning and audacious arts to bear against him, and pursued him to the death with violence and rage. The manly and noble deportment exhibited in his dying hour seems to have made a deep impression on the minds of some, and gave an effectual blow to the delusion. The descendants of John Proctor have always understood that his remains were recovered from the spot where the hangman deposited them, and placed in his own grounds, where they rest to-day.

"No account has come to us of the deportment of George Jacobs, Sr., at his execution. As he was remarkable in life for the firmness of his mind; so he probably was in death. He had made his will before the delusion arose. It is dated January 29, 1692, and shows that he, like Proctor, had a considerable estate. Bartholomew Gedney is one of the attesting witnesses, and probably wrote the document. After his conviction, on the 12th of August, he caused another to be written, which, in its provisions, reflects light upon the state of mind produced by the condition in which he found himself. In his infirm old age, he had been condemned to die for a crime of which he knew himself innocent, and which there is some reason to believe he did not think anyone capable of com-

mitting. He regarded the whole thing as a wicked conspiracy and absurd fabrication. He had to end his long life upon a scaffold a week from that day. His house was desolated and his property sequestered. His only son, charged with the same crime, had eluded the sheriff—leaving his family, in the hurry of his flight, unprovided for—and was an exile in foreign lands. The crazy wife of that son was in prison and in chains, waiting trial on the same charge; her little children, including an unweaned infant, left in a deserted and destitute condition in the woods. The older children were scattered, he knew not where, while one of them had completed the bitterness of his lot by becoming a confessor, upon being arrested with her mother as a witch. This granddaughter Margaret, overwhelmed with fright and horror, bewildered by the statements of her accusers, and controlled probably by the arguments and arbitrary methods of address employed by her minister, Mr. Noyes—whose peculiar function in these proceedings seems to have been to drive persons accused to make confession—had been betrayed into that position, and became a confessor, and accuser of others” (Ibid, 312, 315, 316).

Here is another quotation from Upham: “On the 9th of September, the Court met again; and *Martha Corey, Mary Easty, Alice Parker, Ann Pudeator, Dorcas Hoar, and Mary Bradbury* were tried and condemned; and, on the 17th *Margaret Scott, Wilmot Reed, Samuel Wardwell, Mary Parker, Abigail Faulkner, Rebecca Eames, Mary Lacy, Ann Foster, and Abigail Hobbs* received the same

sentence. Those in italics were executed September 22, 1692 " (Ibid. 324).

Respecting the closing of this mad business Upham thus remarks: "After the executions on the 22d of September, the court adjourned to meet some weeks subsequently, and it was, no doubt, their expectation from month to month to hold sessions, and supply each time new cartloads of victims to the hangman. But a sudden collapse took place in the machinery, and they met no more. The executive authority intervened, and their functions ceased. The curtain fell unexpectedly, and the tragedy ended. It is not known precisely what caused this sudden change. It is probable that a revolution had been going on sometime in the public mind, which was kept for a while from notice, but at last became too apparent and too serious to be disregarded. It has generally been attributed to the fact that the girls became over-confident, and struck too high. They had ventured, as we have seen, to cry out against the Rev. Samuel Willard, but were rebuked and silenced by the court. Whoever began to waver in his confidence of the correctness of the proceedings was in danger of being attacked by them; and as a general thing, when a person was 'cried out upon,' it may be taken as proof that he had spoken against them " (Ibid, pp. 344, 345).

Of the sad fate of Margaret Jacobs our author observes: "Margaret Jacobs had to remain in jail after the governor's proclamation had directed the release of all prisoners, because she could not pay the fees and charges. Her grandfather had been

executed, and all his furniture, stock, and movable property seized by the marshal or sheriff. Her father escaped the warrant by a sudden flight from home under the cover of midnight, and was in exile 'beyond the seas;' her mother and herself taken at the time by the officers serving the warrants against them; the younger children of the family, left without protection, had dispersed, and been thrown upon the charity of neighbors; the house had been stripped of its contents, left open, and deserted. She had not a shilling in the world, and knew not where to look for aid. She was taken back to prison, and remained there for some time, until a person named Gammon, apparently a stranger, happened to hear of her case, and, touched with compassion, raised the money required, and released her" (Ibid, 353, 354).

Of Cotton Mather, more is required to be said: "He aspired to be considered the leading champion of the church, and the most successful combatant against the satanic powers. He seems to have longed for an opportunity to signalize himself in this particular kind of warfare; seized upon every occurrence that would admit of such a coloring to represent it as the result of diabolical agency; circulated in his numerous publications as many tales of witchcraft as he could collect throughout New and Old England, and repeatedly endeavored to get up cases of the kind in Boston. There is some ground for suspicion that he was instrumental in originating the fanaticism in Salem; at any rate, he took a leading part in fomenting it. And while there is evidence that he endeavored, after the delusion subsided, to escape

the disgrace of having approved of the proceedings, and pretended to have been in some measure opposed to them, it can be too clearly shown that he was secretly and cunningly endeavoring to renew them during the next year in his own parish in Boston.

“How blind is man to the future! The state of things which Cotton Mather labored to bring about, in order that he might increase his own influence over an infatuated people, by being regarded by them as mighty to cast out and vanquish evil spirits, and as able to hold Satan himself in chains by his prayers and his piety, brought him at length into such disgrace that his power was broken down, and he became the object of public ridicule and open insult. And the excitement that had been produced for the purpose of restoring and strengthening the influence of the clerical and spiritual leaders resulted in effects which reduced that influence to a still lower point. The intimate connection of Dr. Mather and other prominent ministers with the witchcraft delusion brought a reproach upon the clergy from which they have not yet recovered.”

“Of the history of Cotton Mather subsequently to the witchcraft prosecutions, and more or less in consequence of his agency in them, it may be said that the residue of his life was doomed to disappointment and embittered by reproach and defeat. The storm of fanatical delusion, which he doubted not would carry him to the heights of clerical and spiritual power in America and everywhere, had left him a wreck. His political aspirations, always one of his strong-

est passions, were wholly blasted, and the great aim and crown of his ambition, the presidency of Harvard College, once and again and forever had eluded his grasp" (Ibid. pp. 366-369, 503). It is indeed a pity that a man of his abilities and opportunities for good should be stranded on such a miserable, delusive shoal.

Of the Rev. Samuel Parris and his connection with the witch trials, Upham speaks thus: "At this point, if Mr. Parris, the ministers, and the magistrates had done their duty, the mischief might have been stopped. The girls ought to have been rebuked for their dangerous and forbidden sorceries and divinations, their meetings broken up, and all such tamperings with alleged supernaturalism and spiritualism frowned down. Instead of this, the neighboring ministers were summoned to meet at Mr. Parris's house to witness the extraordinary doings of the girls, and all they did was to indorse and pray over them. Countenance was thus given to their pretensions, and the public confidence in the reality of their statements established. Magistrates from the town, church members, leading people, and people of all sorts, flocked to witness the awful power of Satan, as displayed in the tortures and contortions of the 'afflicted children,' who became objects of wonder, so far as their feats were regarded, and of pity, in view of their agonies and convulsions.

"The aspect of the evidence rather favors the supposition that the girls had originally no design of accusing or bringing injury upon any one. But the ministers at Parris's house, physi-

clans, and others, began the work of destruction by pronouncing the opinion that they were bewitched. This carried with it, according to the received doctrine, a conviction that there were witches about, for the devil could not act except through the instrumentality of beings in confederacy with him. Immediately the girls were beset by everybody to say who it was that bewitched them. Yielding to this pressure, they first cried out upon such persons as might have been most naturally suggested to them" (387, 388).

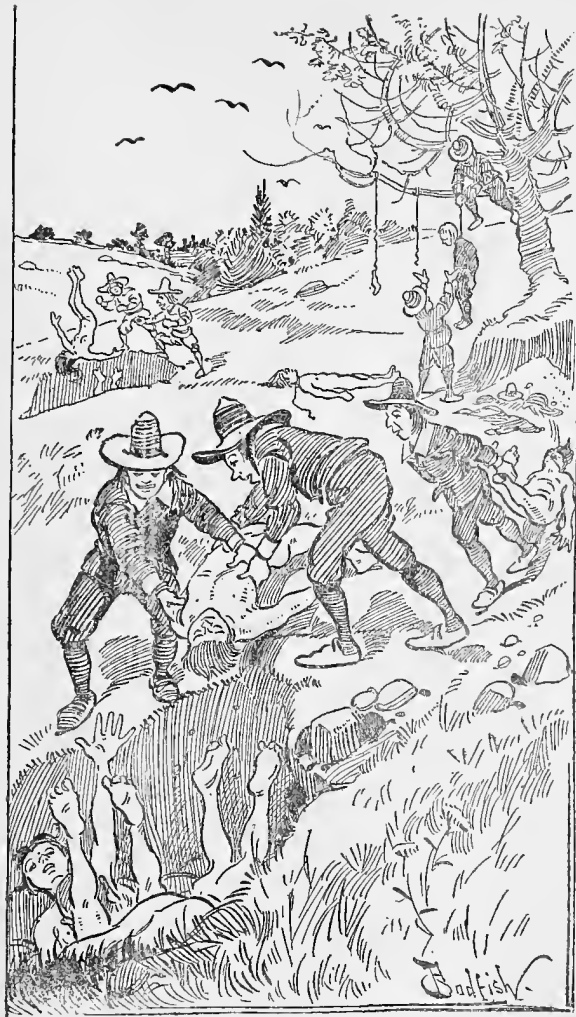
In allusion to Parris's status after the excitement had subsided, he speaks thus: "After the explosion of the witchcraft delusion the relations of parties became entirely changed. The prosecutors at the trials were put on the defensive, and felt themselves in peril. Parris saw his danger, and, with characteristic courage and fertility of resources, prepared to defend himself, and carry the war upon any quarter from which an attack might be apprehended. He continued, on his own responsibility, to prosecute in court his suit against the parish, and in his usual trenchant style. As the law then was, a minister in a controversy with his parish had a secure advantage, and absolutely commanded the situation if his church were with him. From the time of his settlement, Paris had shaped his policy on this basis."

As a rule, every excitement and delusion that runs rapidly soon runs out, and the rule held good in the matter of the Salem witchcraft. The good sense of the public compelled a rational view to be taken, and the imposition that had been

played by interested parties was made apparent. The supernatural part of the delusion lost caste and the devil retired far to the rear. It was quite perceptible that the girls had been partly infatuated and partly designing, and that they had not been a little influenced by interested clergymen and others who had certain objects to carry out. The truth gradually dawned upon the minds of the masses that the parties who had been arrested, imprisoned, and executed were not the guilty parties, but that the real guilt rested in another quarter—upon the girls and their abettors.

The two clergymen most interested thus fell into odium with the people. Cotton Mather, who was so intimately connected with the trials, never reached the goal of his ambition that he hoped for, and the latter part of his life was passed in comparative disgrace.

Parris, who had acted a still more despicable part, and had evinced a decided spirit of cruel persecution, was compelled to leave for other parts, as has been shown. Yes, all those who had been directly engaged in the disreputable business passed into disgrace and forgetfulness. Upham thus dismisses Parris: "Samuel Parris, after a ministry of seven years, crowded from the very beginning with contention and animosity, and closed in desolation, ruin, and woes unutterable, havoc scattered among his people and the whole country round, was driven from the parish, the blood of the innocent charged upon his head, and for the rest of his days consigned to obscurity and penury. The place of his abode has upon it no habitation or structure of man, and the only



“The persons who were hanged had their shirts ripped off with a knife, and their naked bodies were cast into a hole without covering.”



vestiges left of him are his records of the long quarrel with his congregation and his inscription on the headstone erected by him as he left the village forever, over the fresh grave of his wife " (Ibid. p. 515).

Anne Putnam, the leading spirit in the strange delusion, was truly sorry for the part she had performed in the sad tragedy.

"On the twenty-fifth of August, 1706, a great concourse assembled in the meeting-house. Large numbers came from other places, particularly from the town of Salem. The following document, having been judged sufficient and suitable, was written out in the church-book the evening before and signed by her. It was read by the pastor before the congregation, who were seated; she standing in her place while it was read, and owning it as hers by a declaration to that effect at its close, and also acknowledging the signature:

"THE CONFESSION OF ANNE PUTNAM, WHEN SHE WAS RECEIVED TO COMMUNION, 1706.

"I desire to be humbled before God for that sad and humbling providence that befell my father's family in the year about '92; that I, then being in my childhood, should, by such a providence of God, be made an instrument for the accusing of several persons of a grievous crime, whereby their lives were taken away from them, whom now I have just grounds and good reason to believe they were innocent persons; and that it was a great delusion of Satan that deceived me in that sad time, whereby I justly fear I have been instrumental, with others, though ignorantly and unwittingly, to bring upon myself and this land the guilt of innocent blood; though what was said or done by me against any person I can truly and uprightly say, before God and man, I did it not out of any anger, malice, or ill-will to any person, for I

had no such thing against one of them; but what I did was ignorantly, being deluded by Satan. And particularly, as I was a chief instrument of accusing of Goodwife Nurse and her two sisters, I desire to lie in the dust, and to be humbled for it, in that I was a cause, with others, of so sad a calamity to them and their families; for which cause I desire to lie in the dust, and earnestly beg forgiveness of God, and from all those unto whom I have given just cause of sorrow and offense, whose relations were taken away or accused.

[Signed]

ANNE PUTNAM.

“This confession was read before the congregation, together with her relation, August 25, 1706; and she acknowledged it.”

“While, in a certain sense, she imputes the blame to Satan, this declaration of Anne Putnam is conclusive evidence that she and her confederate accusers did not believe in any communications having been made to them by invisible spirits of any kind. Those persons, in our day, who imagine that they hold intercourse, by rapping or otherwise, with spiritual beings, have sometimes found arguments in favor of their belief in the phenomena of the witchcraft trials. But Anne Putnam’s confession is decisive against this. If she had really received from invisible beings, subordinate spirits, or the spirits of deceased persons, the matters to which she testified, or ever believed that she had, she would have said so. On the contrary she declares that she had no foundation whatever, from any source, for what she said, but was under the subtle and mysterious influence of the devil himself.

“She died at about the age of thirty-six years.

Her will is dated May 20, 1715, and was presented in probate June 29, 1716."

Thus passed away the principal actors in that sad drama, during which so much of the spirit of persecution was manifested and such a reign of dark superstition ruled over the minds of otherwise honest people. In the present age of intelligence and scientific investigation, another such wild delusion need never be feared. Where the light of science shines, and the benefits of intelligence and culture abound, little is to be apprehended from the presence of devils and witches. We can well afford to spare the presence of these, together with all the weird and wild and darkening superstitions that attend them if, instead, we can have reason, science, and nature's truths.

#### PERSECUTIONS OF QUAKERS AND HERETICS.

The persecutions of the Quakers in America differed only in degree, "as a small stream differeth from a large stream," not in kind or spirit, from those in Europe. In Massachusetts a law was passed enacting that for affirming that men are saved by works and not by faith, for opposing infant baptism, for leaving the church when infants were about to be baptized, the offender should suffer banishment, and that whoever denied the infallibility of the Bible should, for the first offense, "be openly and severely whipped by the executioner," and for the second "might be put to death." (Ancient Laws and Charters of Mass. Bay.)

The Puritan laws of New England against "a cursed sect of hereticks lately risen up in the world, which are commonly called Quakers," pro-

vided as punishment for a Quaker, on first conviction, twenty stripes ; second, loss of an ear if a man, and if a woman, to be severely whipped; and the third, whether man or woman, to have the tongue bored through with a red-hot iron. If Quakers returned to the colony after banishment they were to suffer death (date 1656-7).

Brooks Adams, in his valuable work, the "Emanicipation of Massachusetts," finds the reason for this persecution to have been a desire to perpetuate the priesthood and maintain its usurped and exclusive power over the people. "Viewed from the standpoint of comparative history," says Mr. Adams, "the policy of theocratic Massachusetts toward the Quakers was the necessary consequence of antecedent causes, and is exactly paralleled with the massacre of the house of Ahab by Elisha and Jehu (as told in 2 Kings ix, x). The power of a dominant priesthood depended on conformity, and the Quakers absolutely refused to conform; nor was this the blackest of their crimes; they believed that the deity communicated directly with men, and that these revelations were the highest rule of conduct. Manifestly such a doctrine was revolutionary. The influence of all ecclesiastics must ultimately rest upon the popular belief that they are endowed with attributes which are denied to common men. The syllogism of the New England elders was this: All revelation was contained in the Bible; we alone, from our peculiar education, are capable of interpreting the meaning of the scriptures; therefore we only can declare the will of God. But it is evident that, were the dogma of the 'inner light'

once accepted, this reasoning must fall to the ground, and the authority of the ministry be overthrown. Necessarily those who held so subversive a doctrine would be pursued with greater hate than less harmful heretics, and thus contemplating the situation there is no difficulty in understanding why the Rev. John Wilson, pastor, Boston, should have vociferated in his pulpit, that 'he would carry fire in one hand and faggots in the other, to burn all the Quakers in the world;' why the Rev. John Higginson should have denounced the 'inner light' as 'a stinking vapour from hell;' why the astute Norton should have taught that the 'justice of God was the Devil's armour;' and why Endicott sternly warned the first comers, 'Take heed you break not our ecclesiastical laws, for then ye are sure to stretch by the halter.' "

This same John Wilson, pastor, on his death-bed was asked what he thought to be the greatest sin of the people. True to the instinct of his caste he answered: "I have long feared several sins, whereof one was Corahism; that is, when people rise up as a Corah against their ministers, as if they took too much upon them, when indeed they do but rule for Christ, and according to Christ." Reading the history of Puritan New England one can but wish that the people had more of the spirit of Corah!

"The persecution of the Baptists," says Mr. Adams, also "lays bare this selfish clerical policy. The theory of the suppression of heresy as a sacred duty breaks down when it is conceded that the heretic may be admitted to the orthodox com-

munion without sin; therefore the motives for cruelty were sordid. The ministers felt instinctively that an open toleration would impair their power; not only because the congregations would divide, but because these sectaries listened to 'John Russell the shoemaker.' Obviously, were cobblers to usurp the sacerdotal functions, the superstitious reverence of the people for the priestly office would not long endure; and it was his crime in upholding this sacrilegious practice which made the Rev. Thomas Cobbett cry out in his pulpit 'against Gorton, that arch-heretick, who would have all men to be preachers.' The clergy held the state within their grasp, and shrank from no deed of blood to guard the interests of their order."

Under Governor Endicott and Priests Norton, Wilson, and others, these poor persecuted sectaries were driven from town to town, even into the wild forest among the wilder Indians, in the most cruel and inhuman manner. Sewel, in his history of the Quakers, tells the story of a few of their wrongs: These detestable scenes of more than savage barbarity began in the month called July, 1656. Mary Fisher and Ann Austin, having arrived in the road before Boston, the deputy governor, Bellingham, had them brought on shore and committed to prison as Quakers. They were stripped naked under pretense of knowing whether they were witches, "and in this search," says Sewel, "they were so barbarously misused that modesty forbids to mention it." After about five weeks' imprisonment they were sent back to Old England, their beds and Bibles being taken by the

jailer for his fees. Scarcely a month after, eight other persecuted Quakers came; they were locked up in the same manner as the former; and after about eleven weeks' stay were sent back. John Endicott bade them "take heed that ye break not our ecclesiastical laws, for then ye are sure to stretch by the halter." Then a law was made to prohibit all masters of ships from bringing any Quakers into that jurisdiction. Nicholas Uspal, a member of the church and a man of unblamable character, for speaking against such proceedings was fined twenty-three pounds and also imprisoned for not going to church; next they banished him from their jurisdiction; and though an aged and weakly man, he was forced to depart in the winter. Nicholas afterwards met with an Indian prince, who, having understood how he had been used, offered to make him a warm house, and further said, "What a God have the English, who deal so with one another about their God!"

The following year (1657) Anne Burden and Mary Dyer were imprisoned at Boston; and Mary Clark, for warning these persecutors to desist from their iniquity, was unmercifully rewarded with twenty stripes of a three-corded whip on her naked back, and detained in prison about three months in the winter season. The cords of these whips were commonly as thick as a man's little finger, each cord having knots at the end. Christopher Holder and John Copeland were whipped at Boston the same year, each thirty stripes with a knotted whip of three cords, the hangman measuring his ground and fetching the strokes with all the force he could, "which so cruelly cut their

flesh that a woman standing by fell down dead." Then they were locked up in prison and kept three days without food, or so much as a drink of water, and detained in prison nine weeks in the cold winter season, without fire, bed, or straw. They afterwards had their right ears cut off by authority. Lawrence and Cassandra Southick and their son Josiah, being carried to Boston, were all of them, notwithstanding the old age of the two, sent to the house of correction, and whipped with cords as those before, in the coldest season of the year, and had property taken from them "to the value of four pounds ten shillings," for not going to church.

In the year 1658 a law was made which, besides imposing heavy penalties and imprisonments, extended to working in the house of correction, severe whipping, cutting off ears, and boring through their tongues with a red-hot iron, whether male or female, and other inhuman barbarities. The same year William Brend and William Leddra came to Newbury; thence they were taken to Boston, to the house of correction, to work there; but they, being unwilling to submit, were kept five days without any food, and then beaten twenty strokes with a three-corded whip. Next they were put into irons, neck and heels so close together that there was no more room left between than for the lock that fastened them, and kept in that situation sixteen hours, and then brought to the mill to work; but Brend, refusing, was beaten by the inhuman jailer with a pitched rope till his flesh was bruised into a jelly, his body turned cold, and for some time he had neither seeing, feeling, nor hearing. The high priest, John

Norton, was heard to say, "William Brend endeavored to beat our gospel ordinances black and blue; if then he be beaten black and blue it is but just upon him; and I will appear in the behalf of him that did so."

As if these inhuman barbarities were not sufficient, John Norton and other priests petitioned for a law to banish the Quakers on pain of death. The petition was granted October 20, 1658, by the court of Boston. A short extract of the law is as follows: "Whereas, there is a pernicious sect (commonly called Quakers), who do take upon them to change and alter the received laudable customs of our nation, and also to destroy the order of the churches, by denying all established forms of worship. For prevention thereof, this court doth order and enact that every person or persons, being convicted to be of the sect of the Quakers, shall be sentenced to be banished upon pain of death."

Sewel thus describes the condemnation and destruction of Wenlock Christison in 1661: "William Leddra being thus despatched, it was resolved to make an end also of Wenlock Christison. He therefore was brought from the prison to the court at Boston, where the governor John Indicot, and the deputy governor Richard Billingham, both being present, it was told him, 'Unless you will renounce your religion, you shall surely die.' But instead of shrinking, he said with an undaunted courage, 'Nay, I shall not change my religion, nor seek to save my life; neither do I intend to deny my master; but if I lose my life for Christ's sake, and the preaching of the gospel, I shall save

my life.' . . . John Indicot asked him 'what he had to say for himself, why he should not die?' . . . Then Wenlock asked, 'By what law will you put me to death?' The answer was, 'We have a law, and by our law you are to die.' 'So said the Jews of Christ' (reply'd Wenlock), 'we have a law, and by our law he ought to die. Who empowered you to make that law?' To which one of the board answered, 'We have a patent, and are the patentees; judge whether we have not the power to make laws.' Hereupon Wenlock asked again, 'How, have you power to make laws repugnant to the laws of England?' 'No,' said the governor. 'Then' (reply'd Wenlock), 'you are gone beyond your bounds, and have forfeited your patent; and that is more than you can answer.' 'Are you,' asked he, 'subjects to the king, yea or nay?' . . . To which one said, 'Yea, we are so.' 'Well,' said Wenlock, 'so am I.' . . . 'Therefore seeing that you and I are subjects to the king, I demand to be tried by the laws of my own nation.' It was answered, 'You shall be tried by a bench and a jury.' For it seems they began to be afraid to go on in the former course, of trial without jury. . . . But Wenlock said, 'That is not the law, but the manner of it; for I never heard nor read of any law that was in England to hang Quakers.' To this the governor reply'd 'that there was a law to hang Jesuits.' To which Wenlock returned, 'If you put me to death, it is not because I go under the name of a Jesuit, but of a Quaker. Therefore I appeal to the laws of my own nation.' But instead of taking notice of this, one said 'that he

was in their hands, and had broken their law, and they would try him.' ”

And try him they did. He was sent back to prison till the next court, when he was again brought to the bar, and again demanded an appeal to England. But Endicott was determined that he should die, and he put his fate to vote, failing, however, to carry condemnation. “ The governor seeing this division, said, ‘ I could find it in my heart to go home; ’ being in such a rage, that he flung something furiously on the table. . . . Then the governor put the court to vote again; but this was done confusedly, which so incensed the governor that he stood up and said, ‘ You that will not consent record it; I thank God I am not afraid to give judgment. . . . Wenlock Christison, hearken to your sentence: You must return unto the place from whence you came, and from thence to the place of execution, and there you must be hanged until you are dead, dead, dead. ’ ”

Daniel and Provided Southick, son and daughter to Lawrence and Cassandra, not frequenting the assemblies of these persecuting Puritans, were fined ten pounds, though it was well known they had no estate, their parents having been reduced to poverty by their rapacious persecutors. To get this money the general court at Boston issued an order, by which the treasurers of the several counties were empowered to sell the bodies of said persons to any of the English nation at Virginia or Barbadoes, to pay their fines. William Maston, at Hampton, was fined ten pounds for two books found in his house, five pounds for not frequenting their church, and three pounds besides as due

to the priest; for which fine he had taken from him property worth more than twenty pounds. Not long after, over a thousand pounds were taken from some, only because they had separated themselves from the persecuting church. Thomas Prince, governor of Plymouth, was heard to say, "that in his conscience the Quakers were such a people as deserved to be destroyed, they, their wives and children, their houses and lands, without pity or mercy." Humphrey Norton, at New Haven, for being a Quaker, was severely whipped, and burnt in the hand with the letter H to signify heretic. The sentence of death was executed upon William Robinson and Marmaduke Stephenson, upon the twenty-seventh of October, 1659. As they approached the gallows, the priest (Wilson) tauntingly said to Robinson, "Shall such Jacks as you come in before authority with their hats on?" To which Robinson replied, "Mind you, mind you, it is for the not putting off the hat we are put to death!" The persons who were hanged were barbarously used; even their shirts were ripped off with a knife, and their naked bodies cast into a hole that was dug, without any covering. And Priest Wilson also made a ballad on them. On the thirty-first of March, 1660, Mary Dyer was sentenced to death by Endicott, and the next day executed. William Leddra returned to Boston, was cast into an open prison, and locked in chains day and night, in a very cold winter, and was sentenced to death and executed on the fourteenth of January, 1661. Many, both men and women, were stripped naked from the waist upward, tied to a cart-tail, and scourged in the most brutal and

barbarous manner, while the priests, who were the principal instigators to such more than savage meanness, were pleased in nothing better than in the exercise of such Christian and diabolical cruelties. Peter Pearson and Judith Brown, being stripped to the waist, were fastened to a cart-tail and whipped through the town of Boston. Joseph Southick also was stripped and led through the streets of Boston at the cart-tail and vehemently scourged by the hangman. The same day he was whipped at Roxbury, and the next morning at Dedham. The whip used for these executions was not of whip-cord, but of dried guts, and each string had three knots at the end. At Dover, Anne Coleman, Mary Tomkins, and Alice Ambrose were sentenced to be fastened to the cart-tail and whipped on their naked backs through eleven towns, a distance of nearly eighty miles. Then, on a very cold day, the deputy, Walden,\* at

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\* Following is the warrant under which Walden acted:

"To the Constables of Dover, Hampton, Salisbury, Newbury, Rowley, Ipswich, Wenham, Linn, Boston, Roxbury, Dedham, and until these vagabond Quakers are carried out of this jurisdiction.

You and every one of you are required, in the King's Majesty's name, to take these vagabond Quakers, Anne Coleman, Mary Tomkins, and Alice Ambrose, and make them fast to the cart's tail, and driving the cart through your several towns, to whip them on their backs, not exceeding ten stripes apiece on each of them in each town, and so to convey them from constable to constable, till they come out of this jurisdiction, and you will answer it at your peril: and this shall be your warrant.

"Per me,

RICHARD WALDEN.

"At Dover, dated December 22d, 1662."

Dover, caused these women to be stripped naked, from the middle upward, and tied to a cart, and then whipped them, while the priest looked on and laughed at it. Two of their friends testified against Walden's cruelty, for which they were put in the stocks. The women were carried to Hampton, and there whipped; from thence to Salisbury, and again whipped. William Barefoot at length obtained the warrant from the constable for their release, the priest, however, vainly protesting. Not long after, these women returned to Dover, and were again seized, while in meeting, and barbarously dragged about at the instigation of Hatevil Nutwell, a ruling elder. The barbarity of their persecutors on this occasion exceeded all description. Being seized in meeting, while on their knees in prayer, they were dragged by their arms nearly a mile through a deep snow, across fields and over stumps, by which they were much bruised. The next day they were barbarously dragged down a steep hill to the water side and threatened with drowning, and one of them was actually plunged into the water, when a sudden shower obliged the Christians to retreat. At length, after much abuse, these victims of orthodox barbarity were turned out of doors at midnight; and, with their clothes wet and frozen, were obliged to suffer the inclemency of a severe winter's night. Afterwards, Anne Coleman and four of her friends were whipped through Salem, Boston, and Dedham by order of Hawthorne, the magistrate. Anne Coleman was a little weakly woman, and, while she was fastened to the cart at Dedham, the executioner, encouraged by Priest



Deputy Walden caused these women to be stripped naked from the middle upward and tied to a cart, and then whipped them.



Bellingham, struck her so savagely that, with the knot of the whip, he split the nipple of her breast, which so tortured her that it almost took away her life.

Margaret Brewster was the last woman whipped by the Puritans for the crime of being a Quaker. Inspired by the persecutions of her sect, she journeyed to New England to protest to the governor against his cruel course. She was tried and condemned to be whipped, her sentence being in the following words: "Margaret Brewster, You are to have your clothes stripped off to the middle, and to be tied to a cart's tail at the South Meeting House, and to be drawn through the town, and to receive twenty stripes upon your naked body."

These are a few instances, narrated in the briefest and driest manner, of the savage cruelty practiced by those who pretended that they had left England to enable them to exercise liberty of conscience. By their character one would think that they "left their country for their country's good," instead of for their own. Such was Protestantism in all its purity of Puritanism! Such were the fiends which the Christian religion made of men!

## BLUE LAWS OF VIRGINIA.

Those who fancy that strict laws were peculiar to New England in colonial days should read some of the enactments in the Virginia assembly.

"It was enacted," writes Prof. John Fiske in "Old Virginia and Her Neighbors," "that any person found drunk was for the first offense to be privately reprov'd by the minister; the second time this reproof was to be publicly administered; the third time the offender must be put in irons for twelve hours and pay a fine; for any subsequent offense he must be severely punished at the discretion of the governor and council.

"To guard the community against excessive vanity in dress it was enacted that for all public contributions every unmarried man must be assessed in church 'according to his own apparel.' and every married man must be assessed 'according to his own and his wife's apparel.'

"Not merely extravagance in dress, but such social misdemeanors as flirting received due legislative condemnation. Pretty maids were known to encourage hopes in more than one suitor, and gay deceivers of the sterner sex would sometimes seek to win the affections of two or more women at the same time. Wherefore it was enacted that 'every minister should give notice in his church that what man or woman soever should use any word or speech tending to a contract of marriage

to two several persons at one time as might entangle or breed scruples in their consciences, should for such their offense, either undergo corporal correction (by whipping) or be punished by fine or otherwise, according to the quality of the person so offending."

Men were held to more strict accountability for the spoken or written word than in these modern days. One of the most prominent settlers we find presenting a petition to the assembly to grant him due satisfaction against a neighbor who has addressed to him a letter "wherein he taxeth him both unseemly and amiss of certain things wherein he was never faulty." Speaking against the governor or any member of the council was liable to be punished with the pillory. It was also imprudent to speak too freely about clergymen, who were held in great reverence. No planter could dispose of so much as a pound of tobacco until he had laid aside a certain specified quantity as his assessment towards the minister's salary.

If you look on a map of Virginia, one which gives the county seats in capitals, you will see near the eastern coast the imposing name "Princess Anne Court House." The two buildings forming the core of the hamlet are the court house and the jail. In the court house are the records of witch trials written on parchment in ink that began to fade one hundred years ago. Among other documents there are the following declarations, adopted "at a meeting of the justices according to appointment, 21 September, 1699":

"THE TEST.

"I, A B, doe declare that I doe believe that

there is not any Transubstantiation in the sacrament of the Lord's Supper, or in the Elements of Bread and Wine, at or after the consecration thereof by any person whatsoever.

“THE ASSOCIATION.

So. “Whereas there hath been a horrid and Detestable Conspiracy formed and carryed on by Papists and other wicked and traitorous persons for Assassinating his Majestie's Royall person In order to Encourage an Invasion from France to Subvert our Religion, Laws, and Libertys, WEE whose names are hereunto Subscribed doe heartily, sincerely, and Solemnly profess, testify, and Declare that his present Majestie KING WILLIAM is Rightfull and Lawfull King of these Realms. And WEE doe mutually promise and Engage to stand by and assist each other to the utmost of our power In the Support and Defence of his Majestie's most Sacred person and Government against the late King James and all his adherents, and in Case his Majestie comes to any Violent or untimely Death (which God forbid) WEE doe hereby trooly and unanimously Oblidge Ourselves to Unite, Associate, and stand by each other in Revenging the same upon his enemies and their Adherents, and in Supporting and Defending the Succession of the Crowne according to an act made in the first year of the reign of King William and Queen Mary Entitled An Act Declaring the Rights and Libertys of the Subject and Settling the Succession of the Crowne.”

The records of the criminal cases might have been written in some Puritanical village where

punishments were thorough and frequent. One hundred and fifty years ago, for instance, Edward Cannon and Amos Weeks stood "presented by the grand jury for suffering negroes to dance in the house then occupied by them." The said Cannon and Weeks protested that they were not guilty of this heinous crime, but they had to stand trial nevertheless.

In 1764 Pat Murphy was indicted by the grand jury for Sabbath-breaking, and the same august body indicted a number of women for the specific offense of not going to church.

In 1876 there were reprinted at Hartford, Conn., the "Articles, Laws, and Orders, Divine, Politique, and Martial, for the Colony in Virginia; first established by Sir Thomas Gates Knight, Lieutenant-General, the 24th of May, 1610. Again exemplified and enlarged by Sir Thomas Dale, Knight, Marshall, and Deputie Governour, the 22d of June, 1611." From these we get the following regulation prescribing the penalty of death for ~~non-attendance at church on Sunday~~: "Every man and woman shall repair in the morning to the divine service and sermons preached upon the Sabbath day, and in the afternoon to divine service, and catechising, upon pain for the first fault to lose their provision, and the allowance for the whole week following; for the second, to lose the said allowance and also be whipt; and for the third, *to suffer death.*"

Scriptural sanction for that law was found in Exodus xxxv, 2. It was passed at the time the Virginia plantation held all things in common; and if the Sabbath was not observed according to

the requirements of the government, all supplies were cut off.

On the subject of religious persecutions in Virginia Thomas Jefferson wrote: "The first settlers [of Virginia] were emigrants from England, of the English church, just at a point of time when it was flushed with complete victory over the religions of all other persuasions. Possessed as they became of the powers of making, administering, and executing the laws, they showed equal intolerance in this country with their Presbyterian brethren who had emigrated to the Northern government. . . . Several acts of the Virginia Assembly, of 1659, 1662, and 1693 had made it penal in parents to refuse to have their children baptized; had prohibited the 'unlawful' assembling of Quakers; had made it penal for any master of a vessel to bring a Quaker into the state; had ordered those already there, and such as should come thereafter, to be imprisoned till they should abjure the country—provided a milder penalty for the first and second return, but death for their third. If no capital executions took place here, as did in New England, it was not owing to the moderation of the church, or spirit of the legislature, as may be inferred from the law itself; but to historical circumstances which have not been handed down to us."—"Notes on Virginia" (1788), p. 167.

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